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THE

CALCUTTA REVIEW.

VOL. VII.

JANUARY—JUNE, 1847.

"No man, who hath tasted learning, but will confess the many ways of profiting by those, who not contented with stale receipts, are able to manage and set forth new positions to the world: and were they but as the dust and cinders of our feet, so long, as in that notion, they may yet serve to polish and brighten the armoury of truth: even for that respect they were not utterly to be cast away."—MILTON.

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CALCUTTA REVIEW.

ART. I.—*Life of the Amír, Dost Mahommed Khan of Kabul; with his political proceedings towards the English, Russian, and Persian Governments, including the victories and disasters of the British Army in Affghanistan. By Mohan Lal, Esquire, Knight of the Persian Order of the Lion and the Sun; lately attached to the Mission in Kabul.* 2 *vols. Longman and Co.* 1846.

IN the preface to these volumes, Mohan Lal, Esquire, informs us, that the history of Dost Mohammed, which he intended to have given to the world, grievously miscarried in manuscript. Instead of enriching the literature of the West, it was doomed to pass no further than the collections of Akbar Khan, whose filial piety, doubtless, set a right value on so inestimable an addition to the family records deposited in the Balla-Hissar. If, as "the whirligig of time brings in its revenges," this manuscript, with annotations by the Amír himself and his accomplished son, should ever fall into the hands of a British Publisher, it will assuredly be one of the most interesting contributions to Oriental history, which the present century has seen. We are afraid that we can not say as much for the counterfeit now before us.

Akbar Khan, knowing their true value, having resolutely refused to restore the stolen manuscripts, "it was afterwards out of my power," says Mohan Lal, Esquire, "to collect such satisfac-' tory accounts as would place the circumstances of the Amír's ' life in a chronological series; and I, therefore, fear that these ' volumes will, on many occasions, be open to censure for mis-' placing the occurrences and the subjects contained in them." This is, indeed, a startling confession. The reader is called upon, at the very outset, to make every allowance for a liberal use of that strange figure, which rhetoricians know as the υστερον προτερον; and which in vulgar language is sometimes described as "putting the cart before the horse." Nay, more than this, we are not only called upon to make allowance for dates, but for things misplaced, the "horse's head where the tail should be"—almost literally following the example of the accommodating showman, by telling us that we may take the

lion for the dog, or the dog for the lion—Shah Súja for Dost Mahommed, or Dost Mahommed for Shah-Súja, as we please. We pay our money and we take our choice.

Historical accuracy being thus set aside, as of impossible attainment, Mohan Lal, Esquire, doubtless, determines to compensate for this important deficiency, by extraordinary graces of style—the excellence of the manner atoning for the imperfections of the matter. Not at all; Mohan Lal, Esquire, assures us, that he does "not for a moment pretend to boast of the value of its information, eloquence, or style." "On the contrary," he adds, "I am fearfully conscious of abundant errors, both in grammar, idiom, and, above all, of repetitions; but when I tell the public, that I am a stranger to the customs, manners, and, in a great measure, to the language of the English, and that I have written the MSS. and published these two volumes in a short space of time, without the assistance of a friend, as I had expected, I feel assured that I shall be excused on account of these great deficiencies." If Mohan Lal, Esquire, had been under any obligation to the British public to deliver himself of two bulky volumes of letter-press, it might, with some propriety, have been pleaded, in excuse of all deficiencies, that he had been robbed of his materials, and was ignorant of the English language—in fact, that he had not anything to write about and did not know how to write, if he had. But we are not aware that any such obligation existed; and, therefore, we cannot recognise the validity of his excuses. The facts, which he alleges, might be accepted as undeniable apologies for not writing at all; but they form no excuse for writing badly.

It is true, however, that Mohan Lal, Esquire, appears to have labored under the impression, not only, that he was bound to write in a foreign language, of the grammar and idiom of which he was confessedly ignorant, a biography of a man of whose career he could obtain no satisfactory account, but that he was under an imperative obligation to perform the feat within a certain time. "Whatever portion of the MSS.," he informs us, "of these volumes (excepting about one hundred pages in the beginning) I was able to write every day, went to press immediately in the same way; and this will plainly account for errors and repetitions." This hand-to-press authorship, in ordinary cases, is the result either of the urgent necessities of the writer or the eager impatience of the public. Mohan Lal, Esquire, is anxious that the former supposition, being derogatory to his knighthood, should not find ingress

into the reader's mind; he therefore explains in his preface, that he has not profited by his authorship. "Besides the 'great expense," he says, "incurred by the publishers in 'bringing out my late travels and these volumes, I beg to 'state, that about £300 has been disbursed by me in employ-'ing a copyist, paper, and some of the portraits; a fact which 'will exonerate me from the imputation of having published 'them, merely with the view of benefiting myself by their 'sale." It remains for us, then, only to suppose that a belief in the eagerness and impatience of the public, must have provoked the breathless rapidity with which these volumes were written. But with all due submission, we think that the public might have been induced to wait whilst Mohun Lal, Esquire, was taking a few more lessons in the English language.

When a foreigner, writing in our own vernacular, appeals to "the generosity of the impartial community," and entreats forgiveness "for the blunders of every description which may disfigure the pages" of his "unworthy volumes," it would seem to denote a degree of churlishness, by no means creditable to the national character, if we were to deny him the clemency he solicits. But the case of Mohun Lal forms an exception to the rule, by which a certain amount of critical immunity is granted to such offenders. It is true, that he is a Kashmerian by birth; but he is an English author of fifteen years' standing. He has been reading, and speaking, and writing English, long enough to have obtained some knowledge of the grammar and idiom of the language. He has been familiar with English people for nearly twenty years, two or three of which have been spent in England. Ordinary quickness of apprehension and a very trifling amount of application might have enabled him, in half the time, to overcome the difficulties of the English language and to avoid grammatical and idiomatic blunders, of which there is not a boy of fourteen, in the Free Church Institution or the Hindu College of Calcutta, who would not be heartily ashamed. It would be a palpable injustice to all concerned in the education of the natives of India—from the Court of Directors to the most subordinate teacher in one of our schools—if we were not to enter a *caveat* against a not unnatural supposition, which may have found entrance into the public mind at home, that Mohan Lal's volumes are a noticeable example of the good effects of European education in the East. The truth is, that the composition before us, is very bad of its kind—it is immeasurably inferior to what scores of native students in our

public institutions are capable of producing; and it is because we are unwilling, that such short-comings should discredit the teaching of the able men engaged in the work of public instruction, that we cannot admit the claims of Mohan Lal's writings to be regarded as good specimens of Indian English, or any other kind of English with which we are acquainted. Such writings, indeed, have not ceased to be a curiosity only because it is still curious, that one who has, for nearly twenty years, been in familiar intercourse with the English people, and during the greater part of that time attached to an English bureau, should have acquired such imperfect proficiency in the English language. But these are not the curiosities which we delight to contemplate.*

And yet, we do not wish it to be inferred that the volumes before us are absolutely without value. They are, to a certain extent, valuable as containing many incidental illustrations of the character and customs of the Affghans; many anecdotes, which, though apocryphal when considered in connexion with the personages introduced, are interesting, because nationally, though not personally, characteristic; and a few traditionary stories, which, if dates were affixed, might be accepted as contributions to authentic history. Nor is this all that can be said in favor of Mohan Lal's volumes. The author devotes a considerable portion of his work to a narrative of the events immediately preceding the deposition of Dost Mohammed, and the subsequent unfortunate career of the British in Affghanistan. He held, throughout the whole of this time, a subordinate but a confidential office under the British mission, and he enjoyed many opportunities—opportunities of which certainly he has not made the most—of ascertaining the truth regarding many mixed questions of considerable historical importance. That he has not thrown much new light on spots of the great field of political inquiry, which had previously been but dimly illumined, we attribute rather to a want of discrimination—an absence of all capacity to discern the important from the unimportant, than to any over-weening caution, any want of candour, any desire to suppress the truth. There is occasionally a *naivetè* in the revelations of Mohan Lal, which goes far to engender, in our minds, a conviction of his good faith. Thus, at page 188, vol. 1, speaking of Abdul Rashíd Khan, he

* It is now no secret that the memoir of Ram-mohun Roy, in No. VIII of this journal, was the production of a native gentleman. We point to it, in preference to others from native sources, because, being of a biographical character, it may more fitly be contrasted with the work before us, in respect not only of the correctness of its style but the clearness of the narrative, and the luminous arrangement of all the details.

says, "he was *bought by me to desert Haidur Khan* at Ghazni, and 'came to the late Sir Alexander Burnes: his services were 'appreciated by Lord Keane and by Major Thomson, the 'engineer officer, in the capture of that fort, and rewarded by 'a pension of five hundred rupees." Here it is obvious that Mohan Lal, Esquire, thinks that this Judas-making, of which there was vastly too much in Affghanistan, was a very honorable occupation, and the success, which attended his efforts to corrupt the Affghan chiefs, to raise up a plentiful harvest of the blackest treachery, a jaunty feather in his cap. If there be one thing, more than another, in connexion with our ill-omened occupation of Affghanistan, which we would fain bury in utter oblivion, it is this villainous system of corrupting—or as Mohan Lal calls it "buying"—our way to victory which honorable men thought it no dishonor, in those days, to encourage. When, at a later period, the treachery of the Affghans told, with such dire effect, upon our discomfited army, and all India rang with execrations of the blood-stained traitors, few paused to think of the lessons in treachery, which the Affghans had learnt from British agents —few paused to count the traitors which we ourselves had made—to take account of the treasure we had expended in the encouragement of the blackest perfidy. What wonder that the treachery, which contributed so largely to our first successes in Affghanistan, should have conduced to our ultimate discomfiture?

> The Gods are just and of our pleasant vices
> Make instruments to scourge us.

That Mohan Lal, Esquire, regarded the corruption of an Affghan in the light of a very creditable achievement there is no room to doubt. This confusion of right and wrong in the author's mind—this strange *boule-versement* of the moral sense—it is not very refreshing to contemplate; but it may be accepted as at least, some guarantee, however unintentional, for his candour. He betrays the secrets of the mission with the air of a man who is proclaiming deeds, which it would be invidious to conceal —he consigns his masters to infamy with all the self-satisfied confidence of a subordinate who is rendering them some notable service. Of *these* blunders we cannot complain. A cleverer *attaché* than Mohan Lal would have known better when to be communicative and when to hold his tongue—but his book would have been comparatively worthless. It is because the present writer is so utterly wanting in discretion, that his volumes are worth anything at all.

We had purposed to have given a few specimens of Mohan Lal's style, which he assures us is Persian, and which is cer-

tainly not English—but we think that we shall better carry out the objects of this journal by taking advantage of the present opportunity to compile from the different authorities —more or less trust worthy—at our command, a memoir of the eventful career of Dost Mohammed, which if not entirely free from error, will we trust, be as close an approximation to the truth, as can be attained, in the absence of all authentic records of the varied incidents of the Amír's life. Much is, necessarily, mere tradition, and must be received with liberal allowances for the exaggerations of oriental retailers of court-gossip, through whom the greater number of the anecdotes, which illustrate the biography of the Amír, have been received. We may, sometimes, be tempted, as we proceed, to throw into a note, an original passage from Mohan Lal's volumes.

Dost Mohammed Khan is the son of Poyndah Khan, and the grand-son of Hadji Jamal Khan, Barukzye. The latter was in his days, a noble of high repute, and chief of the Barukzye tribe. On his death, Taimur Shah, who then ruled in Affghanistan, bestowed with due regard to primogeniture, the dignity of the chiefship upon Rahimdad Khan, the eldest of the four sons of the deceased Hadji. But this man had not the qualities necessary to control or conciliate his tribe. He was sordid and morose. He shut himself up in his house; seldom associated with his equals without offending them, or with his inferiors without injuring them. He wanted courtesy —he wanted hospitality; he had a bad temper and a bad heart. The Barukzyes rose up against him and appealed to the King. Taimur Shah responded to the appeal; Rahimdad Khan was degraded; and the second brother, Poyndah Khan became chief of the tribe.

Poyndah Khan was a man of a widely different character and temperament. He was liberal and chivalrous—hospitable to his equals, affable to his inferiors, faithful to his sovereign; a brave soldier and a popular chief. He appears first to have distinguished himself by joining an expedition sent to coerce a recusant Governor of Kashmir; and exhibiting on this occasion, consummate gallantry in the field. The refractory Governor was beaten at all points; and the leader of the expedition on his return to Kabul, brought the distinguished services of the Barukzye chief to the notice of his sovereign, who conferred new honours upon him, appointed him to offices of emolument and trust, and bestowed upon him many signal marks of personal favor and friendship.

When Prince Abbas rebelled against his father, Taimur

Shah selected Poyndah Khan to command the expedition against the insurgent hosts; and the Barukzye chief, with characteristic energy, put himself at the head of his troops, and moved down upon Salpúrah, where the rebels had taken up a strong position. The river flowed between him and the enemy, but disregarding such an obstacle, he rode down to the water's edge and plunged into the stream, calling upon his men to follow him. The energy and devotion of the chief filled his soldiers with enthusiasm and they followed him to a man. The whole party arrived in safety on the opposite side of the river; and at once proceeded to the attack. The rebels were ignominiously defeated; and Poyndah Khan returned in triumph to his sovereign. New honors were lavished upon him, and the title of Sarfraz (or "the exalted") was bestowed upon him, in consideration of his glorious achievements.

His services were soon again in requisition. A disturbance on the Usbeg frontier so alarmed the Shah, that he had determined on quitting the capital and flying to Herat, when Poyndah, (now Sarfraz) Khan implored his sovereign not to betray his apprehensions, but to retain his right place in the regal palace, and trust to that energy and skill which had before been so serviceable to him. Taimur Shah consented to remain in Kabul; and Sarfraz Khan set out for Balkh. Here the diplomacy of the Barukzye chief was as effectual as before his gallantry had been. He returned to Kabul, without striking a blow; but opposition to the Dourani sovereign was at an end. His reputation, after this statesmanlike achievement, continued rapidly to increase.

Taimur Shah died in 1793. There was a disputed inheritance. Prince Abbas had his adherents; others supported the claims of Mahmud; but a stronger party, headed by Sarfraz Khan, who, it is said, had been won over by the favorite queen of Taimur Shah, sided with Prince Zemaun. Zemaun was the successful candidate. In no small measure, did he owe his elevation to the influence of Sarfraz Khan; and the Barukzye chief, for a time, was even a greater favorite with Shah Zemaun, than with his predecessor.*

* Mohan Lal here takes occasion to observe, "As soon as Dost Mahommed Khan 'gained distinction and became chief of Kabul, he stamped the following verse on 'his coin, and this honoured and gave prominence to the name of his affectionate 'father:—

Sim o tila he shams o qamar medahad naved
Vaq te ravag sikhai Poyndah Khan vasid.

"Silver and gold give the happy tidings to sun and moon that the time, has 'arrived for the currency of Poyndah Khan's coin." "It would certainly be 'wonderful if Sarfraz Khan could hear with his own ears that his enterprizing

But the favorites of Kings are ever surrounded by peril. Shah Zemaun, who made the great mistake of his life, when he elevated Wuffadar Khan to the Wuzírship, was induced by the minister to suspect the fidelity of the man, to whom he owed his throne. The wuzír poured poison into the ears of the Shah. The overthrow of Sarfraz Khan was accomplished. The wiles of the false minister prevailed, and the favorite of two monarchs was disgraced. The strong-minded Barukzye chief was not one to remain quiet under the injustice that had been done him. He had been suspected without cause; he now gave cause for suspicion. He conspired with other powerful chiefs to destroy Wuffadar Khan and to depose Shah Zemaun. The conspiracy was discovered; and the leaders were seized. An officer was sent to the house of Sarfraz Khan, charged with the apprehension of the rebel chief, and was received by his son, the celebrated Futteh Khan. The youth alleged that his father was absent and undertook to summon him. He then presented himself before Sarfraz Khan, warned him of his danger, and offered to assassinate the officer and seize the guard. The foul proposition was rejected. Sarfraz Khan went out; and surrendered himself to the representative of the king. On the following morning he was executed; and the other conspirators shared his fate.*

Sarfraz Khan died leaving twenty-one sons, of whom Futteh Khan was the eldest; and Dost Mahommed the twentieth.† The former, on the death of his father, fled to Ghireck but was soon compelled to abandon his sanctuary and fly from the pursuing wrath of his enemies. "These," says Mohan Lal, "were the days in which the descendants and family of 'Poyndah Khan suffered most miserably. They were beg-

'son, Dost Mahommed, had become as celebrated as one of the kings, and that 'the ambassadors of the Russian, the Persian, and the Turkistan Governments 'waited in his Court. It happens seldom in this sad and changing world that 'parents are alive to derive pleasure from the prosperity of their promising sons; 'and if they ever happen to be alive, still when the child has gained dignity, it is 'to be regretted that he seldom pleases them entirely, by performing his filial duties 'according to their expectation."

* Mohan Lal seems to assume the innocence of the alleged conspirators. He says, that they were all unjustly massacred. That the injuries they had received at the hands of the minister incited them to rebellion is true; but that they did actually conspire against their sovereign is not to be denied.

† Mohan Lal, determined that there should be no mistake about the matter, says—"If I did not mention that they had different mothers, it might puzzle the 'reader to consider that so many children were born from one mother." He adds, "I must safely say, that the mother of Dost Mahommed was the favorite 'wife of Sarfraz Khan. She accompanied him in the various campaigns, and would 'not allow him to rise early and march long after sunrise. For this she was 'blessed by the troops and camp followers who did not like to start earlier in 'cold."

'ging from morning to night for pieces of bread. Many were 'prisoners and others had taken shelter in the mausoleum of 'the late Ahmad Shah, with the view of gaining food, which 'was daily distributed for charity's sake." But their trials were only for a season. The Barukzye brothers soon emerged from the clouds, which had environed them. There was no power in the Douraní empire which could successfully cope with these strong and determined spirits.

In Affghanistan, revenge is a virtue. The sons of Sarfraz Khan had the murder of their father to avenge; blood cried aloud for blood, and the appeal was not made in vain. Futteh Khan had fled into Persia and there leagued himself with Mahmoud, the brother of Shah Zemaun. The ambition of this prince failure had not extinguished. His prospects at this time were gloomy in the extreme; but the arrival of Futteh Khan, whose extraordinary energy of character had gained him the highest reputation among his countrymen, inspired the exiled prince with new courage; and he resolved, under the direction of the son of Sarfraz Khan, to strike another blow for the throne of Kabul.

With a few horsemen they entered Affghanistan, and raising the standard of revolt were joined by thousands of their countrymen. The result is well known. Shah Zemaun and his detested Wuzír made but a feeble stand against the irresistible energies of Futteh Khan. The Shah was seized, the eyes of the unfortunate monarch were punctured with a sharp lancet, and he was cast a blind and hopeless prisoner into the Balla Hissar. Wuffadar Khan and his brother were executed; the revenge of the Barukzyes was accomplished, and their triumph complete.

At this period (the first year of the present century) Dost Mahommed was a boy. According to Mohan Lal he was then twelve years of age. This statement must be received with caution. It is alleged, upon good authority, that Dost Mohammed, was born in the year 1793. If this assertion be correct, on the ascension of Shah Mahmoud, he was only seven years old. We should be sorry to stake our character for accuracy on any statement relative to the precise year on which the Amír was born; but we may question whether he has lived fifty-eight years in the world. We feel inclined to accept neither statement, but rather to believe that Dost Mahommed was born between the two dates indicated—1788 and 1793.

The early years of Dost Mahommed were years of absolute servitude. His mother though much beloved by Sarfraz Khan,

was not a woman of condition. She belonged to the Kuzzilbash tribe, and by the other wives of her lord—high-born Dourani Ladies—was regarded with contempt. It is related by General Harlan that "by an honorary or devotional vow 'of his mother he was consecrated to the lowest menial service 'of the sacred cenotaph of Lameeh. . . . This cenotaph is known 'in the colloquial dialect of the country by the appellation 'of Meiter Lam. In conformity with the maternal vow, 'when the young aspirant became capable of wielding a brush, 'he was carried to Meiter Lam by his mother, and instructed 'to exonerate her from the consequences of a sacred obligation, 'by sweeping, for the period of a whole day, the votive area 'included within the precincts of the holy place enclosing 'the alleged tomb of the ante-diluvian, the father as he is 'termed of the prophet Noah." At a later period, the boy attached himself to his enterprising brother, Futteh Khan—becoming his personal attendant, first in the character of *Abdar* or water bearer, and afterward in the higher office of *húkah-bardar*, or bearer of the great man's pipe. His ministrations appear to have been incessant. He was always in the Wuzír's presence, following his every movement and often watching him when wrapt in sleep.*

This is the history of the boyish life of Dost Mahommed in which we would fain repose our belief. A neglected younger brother, slighted by powerful relatives because the child of a woman of inferior condition, but his high spirit not crushed by contumely—patiently biding his time, dreaming of the future, and only lacking opportunity to show the strength of his mind and the temper of his courage—such a picture we may look upon with pleasure. There is another and a darker one. Among the twenty brothers of Dost Mahommed, was one named Summund Khan. Profligate among the profligate, his life was one of debauchery most revolting. His vices were of that dark hue, which though not unknown at Oriental Courts, in Christian countries is viewed with abhorrence even by the most licentious. The extreme beauty of the young Dost Mohammed is said to have attracted the attention of the profligate Nawab; and the boy soon found himself the most favored of the many youthful minions who polluted his brother's house. The story is not wanting in probability. Uneducated, neglected, contaminated by the all-surrounding

* Mohan Lal says, "this promising young man was in attendance upon him at all 'times, and never went to sleep till Futteh was gone to his bed. He stood before 'him all the day with his hands closed, a token of respect among the Affghans. It 'was not an unusual occurrence, that when Futteh Khan was in his sleeping room 'Dost Mahommed Khan stood watching his safety."

debauchery—evil influences of every kind assailing him, the boy may have fallen a victim to the wickedness of men, and yet excite rather pity than loathing.

From this horrible pollution he was soon rescued. The Othos of the East are not always sunk in sloth and effeminacy. His was no woman's nature. Whilst yet a boy he had all the daring resolution—the impetuous courage of manhood. His first achievement as a man was one unhappily but too characteristic of *Affghan* manhood—it was an act of deliberate murder. He had long sought an opportunity of recommending himself to the especial favor of his powerful brother—long sought an opportunity of showing the "sterner stuff," of which he was made. The Wuzír happened one day, in durbar at Peshawur, to express some apprehensions of the designs of a personal enemy, whom he named; and to indicate, by some indirect allusions, the satisfaction he should feel, if the man were removed from a proximity to the court, which seemed to threaten so much danger. The words sunk deep into the mind of young Dost Mahommed—then a stripling of fourteen—who was in attendance on his brother; and brooding over them, he left the durbar, mounted his horse, and had scarcely struck into the street, when he found himself face to face with the object of the Wuzír's hatred. Dost Mahommed was armed with a rifle; both parties were mounted—he had but to raise the weapon and rid his brother at once of a dangerous enemy. The resolution was formed in an instant. It was broad day; they were in the public streets: the townsmen were passing to and fro, and the man, whom he had marked as his victim, was attended by a band of followers. The lion-hearted stripling saw all this; but no personal fears could turn him aside from the task he had set himself; he raised his rifle and fired. The enemy of Futteh Khan fell a corpse at his horse's feet, and Dost Mahommed rode home to announce to his brother, the death of his dangerous rival. The suddenness of the act must have paralysed the followers of the murdered man; for, the youthful assassin escaped in the midst of the confusion which the daring act created in the streets of Peshawur. From this time, his rise was rapid. Various are the roads, which led to Fame and Fortune. In the East, cruelty and lust are the darling vices of the great. Whatever ministers to these brutal passions, is sure to meet with favor in the sight of the magnates of the land. Dost Mahommed had now approved himself a hero.

That he did not pay the penalty of this murderous act—that the relatives of the man he had slain, did not, in accordance

with national usage and in fulfilment of the duties of Affghan consanguinity, demand blood for blood, we must attribute to the immense power of Futteh Khan, who during the reign of the indolent and licentious Mahmoud, was the virtual monarch of Affghanistan! He was protected, indeed, by something nearly akin to that

—— sealed commission of a King,
Which kills and none dare name the murderer.

He was the brother, and now the favorite of Futteh Khan—the Warwick of the East—the King-maker of Affghanistan.

From the period of the accession of Shah Mahmoud to the date of Mr. Elphinstone's mission to Affghanistan, in 1809, the country appears to have been almost incessantly rent by intestine convulsions. The strife between Shah Mahmoud and Shah Súja was distinguished by the alternating successes of the two brothers; first one, then the other was uppermost; the war of succession deluged the country with blood, and ended in the dispersion of the royal family. Dum singuli prœliantur, universi vincuntur. Seven years of warfare between the Suddozye brothers prepared the way for the rise of the Barukzyes. Mahmoud Shah was weak and unprincipled—but he was a puppet in the hands of Futteh Khan, and as such, his party was a strong one. The grand error of Shah Zemaun's life had been his treatment of Sarfraz Khan. His brother Shah Súja appears to have been equally unfortunate in his failure to propitiate Futteh Khan, the powerful son of a powerful father. But the latter had an enemy nearer home, in the son of Shah Mahmoud—the prince Kamran, subsequently well known as the ruler of Herat, who accomplished the destruction of the powerful Wuzír.

We need not follow in detail, the intricate history of Affghan politics, throughout the early years of the present century. Much has been written on the subject; but, for the most part, with such an utter contempt for the value of dates, that the student who would endeavour to derive from these varied narratives, a clear, comprehensive, chronological view of the annals of Suddozye warfare is pretty sure to be fairly bewildered. It is enough for us, that Dost Mahommed Khan followed the fortunes of his warlike brother and at an early age was renowned as one of the most distinguished of the chivalry of Affghanistan. That whilst yet in his teens, he was a warrior of no mean repute, is certain; but, making every allowance for eastern precocity, we still find it difficult to believe, that he could have performed the various exploits ascribed to him

during the life time of Futteh Khan, if the date of his birth be correctly fixed at so recent a period as the year 1793. From his very boyhood, he was accustomed to a life of adventure, and being trained to arms and familiar with scenes of battle, he early acquired the power of handling considerable bodies of troops, and was at once, after his kind, a skilful leader and a dashing soldier, when yet scarcely a man. He was bold, reckless, and it is to be feared, wanting in those qualities which most command respect. His scruples were few; his errors were many; and, as he often acknowledged, in after life, his youthful career was stained by many acts not to be looked back upon, without shame and contrition.

It was one of these errors—to use no stronger word—which led, it is supposed, to the inhuman treatment to which Futteh Khan was subjected by the Suddozyes. The Dost accompanied his brother on an expedition against Herat; the place was taken, and the young warrior, to use the language of Mr. Vigne "signalised himself, not in action, but in the Zenana 'of Feroz-úd-dín, which he forcibly entered, and, amongst 'other pranks gave chase to Tokya Begum, daughter of 'Taimur Shah and sister to Shah Mahmoud, pursued her 'into a bath, where she had taken refuge, tore off by force 'from her person the Bund-i-pajama or waist-band of her 'trowsers, which was studded with very valuable pearls and 'escaped with his prize to his brother in Kashmir. Futteh 'Khan wrote to Mahommed Azim Khan, telling him to seize 'Dost Mahommed, and a guard was placed over him; but 'before any further steps were taken, news arrived that Futteh 'Khan had been blinded by Kamran, son of Mahmoud. The 'insulted Begum sent her dress, torn and bandless to her 'cousin Kamran, at Herat, who forthwith followed Futteh 'Khan, took him prisoner as he returned from Khorassan, 'where he had been defeated by the Persian prince, Alí Mirza, 'and on the principle which considers that what is done by 'one man is done by his family, put out Futteh Khan's eyes, 'to avenge the insult offered by Dost Mahommed to his own 'cousin."* What followed is well known. Enraged by so gross an outrage on a member of the Suddozye family, alarmed at the growing power of the Barukzyes, and further irritated

* Mohan Lal says, that the lady was sister of the Shai-zadah Kamran; but it is obvious that if she was the daughter of Taimur Shah, and sister of Shah Mahmoud (Kamran's father) she was neither the sister, nor the cousin, but the aunt of the Prince. The Dost appears to have acted throughout recklessly and unscrupulously. He massacred the palace-guard; seized Feroz-úd-dín; plundered the palace; and violated the Harem. On hearing that his conduct at Herat had given offence to Futteh Khan, he fled to Kashmir, where his brother Azím Khan was employed; and there, Azím Khan, instructed by Futteh Khan, seized him.

by the resolute refusal of Futteh Khan to betray his brothers, who had effected their escape from Herat, Kamran and his father, Shah Mahmoud, agreed to put their noble prisoner to death. They were then on their way from Kandahar to Kabul. The ex-minister was brought into their presence; and again called upon to write to his brothers, ordering them to surrender themselves to the Shah. Again he refused, alleging that he was but a poor blind captive; that his career was run; that he had no longer any influence; and that, if he had, he could not consent to betray his brethren. Exasperated by the resolute bearing of his prisoner, Mahmoud Shah ordered the unfortunate Wuzír—the king-maker to whom he owed his crown, to be put to death before him; and there, in the presence of the Shah and the Shah-zadah, Futteh Khan was by the attendant courtiers, literally hacked to pieces. His nose, ears, and lips were cut off; his fingers severed from his hands; his hands from his arms, his arms from his body; limb followed limb, and long was the horrid butchery continued before the life of the victim was extinct. Futteh Khan raised no cry; offered no prayer for mercy. His fortitude was unshaken to the last. He died, as he had lived, the bravest and most resolute of men—like his noble father, a victim to the perfidy and ingratitude of princes. The murder of Sarfraz Khan shook the Suddozye Dynasty to its base. The assassination of Futteh Khan soon made it a heap of ruins.

From this time, the rise of Dost Mahommed was rapid. He had the blood of kindred to avenge. The ingratitude—the cruelty of Mahmoud and his son were now to be signally punished by the brother of the illustrious sufferer. Azím Khan, who ruled at Kashmir counselled a course of forbearance; but Dost Mahommed indignantly rejected the proposition; and declaring that it would be an eternal disgrace to the Barukzyes not to chastise the murderers of the Wuzír, asserted his willingness to march upon Kabul, at the head of an army of retribution. Azím Khan, liking neither to enter personally upon so perilous an undertaking, nor to appear, in such a juncture, wholly supine, presented the Dost with three or four lakhs of rupees to defray the charges of the expedition—a sum, which was exhausted long before the sirdar neared Kabul. But in spite of every obstacle, Dost Mahommed Khan reached Kúrd-Kabul—two marches from the Capital; and there encamped his army.

The Shah-zadah, Jehangír, the youthful son of Kamran, was then the nominal ruler of Kabul: but the management of affairs was entrusted to Atta Mahommed Khan—a man of

considerable ability, but no match for Dost Mahommed, and one who was now guilty of the grand error of under-rating an adversary. This man had acted a conspicuous part in the recent intestine struggles between the Suddozye brothers. He had no love for the Royal family—none for the Barukzyes; but he had ambitious projects of his own, and to advance these he was willing to betray his masters and league with their enemies. Whether the proposal came, in the first instance, from him or from Dost Mohammed appears to be somewhat doubtful; but a compact was entered into between the two chiefs; and the cause of the Suddozye was sacrificed. Atta Mahommed marched out of the Balla Hissar, with the ostensible object of giving battle to the Dost. Nothing was wanted to to complete the delusion. At the head of a well-equipped force the Bamzai Chief, proclaiming death to the rebels, moved upon Beh-meru. Drawing up his troops on commanding ground, he addressed them in language of well-simulated enthusiasm, invoking God to pour forth the vials of his eternal wrath upon the heads of all who should desert the cause of Mahmoud and Kamran. "With the same breath," says M. Masson, "in a 'style peculiarly Affghan, he turned round and in whispers 'inquired for a Koran. The sacred book was produced; Atta 'Mahommed Khan, sealed and with renewed oaths despatched 'it to Dost Mahommed Khan." Then followed a series of mock skirmishes; whilst the agents of the two parties were arranging preliminaries. A meeting between the principals was then arranged; it took place secretly and by night. The treaty, by which it was agreed that the force under Dost Mohammed should be suffered to enter the Balla Hissar without opposition, was then sealed by Atta Mahommed and all the Barukzye brothers then present, with one exception. Pir Mahommed stood aloof. His brothers pleaded his extreme youth in justification of his unwillingness to enter into a business of such weighty import and he was accordingly excused. A second meeting was then agreed upon. The chiefs met in the Búrj-i-wuzír —a garden-house of the murdered Futteh Khan—and there on a given signal, Pir Mahommed rushed upon the Bamzai chief, threw him to the ground, and blinded him. Atta Mahommed was fairly caught in the toils of his own treachery. It is alleged that he was, at the very moment of his overthrow, endeavouring to compass the destruction of the Barukzye brothers.* Be this as it may, the game was one of treachery

* Masson says, "The friends of the Barukzye chiefs pretend that the Muktahar intended to have blown them up; others wholly deny this statement, and regard the occurrence as naturally arising in a contest for power, between desperate and

against treachery; and though we can not palliate the offences of one party, it is difficult to compassionate the sufferings of the other.

Having thus removed a dangerous rival—whether friend or foe—the seizure of the Balla Hissar was speedily effected. The Shah-Zadah was surrounded by treachery. The delight, as he was, of the women of Kabul, for he was very young and beautiful, he had few friends among the Affghans of the sterner sex; and was little capable of distinguishing the true from the false. He was easily persuaded to withdraw himself into the upper citadel, leaving the lower fortress at the mercy of Dost Mahommed. The Sirdar made the most of the opportunity; ran a mine under the upper works, and blew up a portion of them. Death stared the Shah Zadah in the face. The women of Kabul offered up prayers for the safety of the beautiful prince. The night was dark; the rain descended in torrents. To remain in the citadel was to court destruction. Under cover of the pitchy darkness, it was possible that he might effect his escape. Attended by a few followers, he made the effort, and succeeded. He fled to Ghuzní and was saved.*

Dost Mahommed was now in possession of Kabul; but his occupancy was threatened from two very different quarters. Shah Mahmoud and Prince Kamran were marching down from Herat, and Azím Khan was coming from Kashmir to assert his claims, as the representative of the Barukzye family. But the spirit of legitimacy was not wholly extinct in Affghanistan. The Barukzyes did not profess to conquer for themselves. It was necessary to put forward some scion of the royal family, and to fight and conquer in his name. Dost Mahommed proclaimed Sultan Ali, King of Kabul; whilst Azím Khan invited Shah Súja to assert his claims to the throne. The Shah consented; an expedition was planned; but the covenant was but of short duration, for the contracting parties fell out upon the road; and instead of fighting a common enemy, got up a battle among themselves. The Shah, who never lived to grow wiser, gave himself such airs, and asserted such ridiculous pretensions, that a quarrel arose; and, on being defeated in the conflict which ensued, he was driven back into ignominious privacy. Another puppet being called for, Prince Ayub, for want of a

reckless men. The deprivation of sight was in retaliation of the injury inflicted on the Wuzir, owing somewhat it is said to Atta Mohammed Khan's instigation. ..... It is remembered that when Governor of Kashmir, the plucking out of eyes was one of his ordinary punishments."

* Masson.

better, was elevated to this dignity; and the new friends set out for Kabul.

In the mean while, the royal army, which had marched from Herat under Shah Mahmoud and Prince Kamran approached the capital of Affghanistan. The Dost was, in no measure, prepared to receive so formidable an enemy. Weak in numbers, and ill supplied with money and materials, he could not, with any hope of success, have given battle to Mahmoud's forces. The danger was imminent. The royal troops were within six miles of the capital. Dost Mahommed and his followers prepared for flight. With the bridles of their horses in their hands, they stood waiting the approach of the enemy. But their fears were groundless. A flight ensued; but it was not Dost Mahommed's, but Mahmoud's army, that fled. At the very threshold of victory, the latter turned back and flung itself into the arms of defeat. The causes of this extraordinary and most unexpected proceeding, have been variously explained. It is alleged by some writers, that Dost Mahommed finding himself unable to cope with Mahmoud, on the field of battle, resolved to accomplish that by artifice which he could not achieve by force of arms. Accordingly, he forged numerous letters, purporting to be written by and to bear the seals of Mahmoud's most influential supporters, and declaring their intentions of deserting the Shah and espousing the cause of Sultan Ali. These letters, it is alleged, were thrown, as though by accident, into the hands of Mahmoud and Kamran. The discovery of the supposed treachery of their principal supporters, so wrought upon their fears, that they determined not to risk an engagement before the walls of Kabul, but to fall back at once upon Herat. Another and more probable story is, that, finding, when near the capital, that Fúr Díl Khan with four others of the Barukzye brothers were between them and Herat, and apprehending that these chiefs were about to lay siege to that place, they deemed it more prudent to fall back for the security of a city already in their possession, than to advance for the purpose of attempting the seizure of a city in the possession of another. The Barukzyes were now dominant thoughout Affghanistan. The sovereignty, indeed, of Azím Khan's puppet, Ayub, was proclaimed; but the country was in reality divided among the Barukzye brothers. By them the superior claims of Azím Khan were generally acknowledged; Kabul, therefore, fell to his share. Dost Mahommed took possession of Ghuzni. Fúr Díl Khan, Kohan Díl Khan and their brothers occupied Kandahar. Jubbar Khan was put

in charge of the Ghiljí country. Yar Mahommed and his brothers succeeded to the Government of Peshawur. And the Shah Zadah Sultan Ali, Dost Mahommed's puppet sunk quietly into the insignificance of private life.

But this did not last long. Shah Súja had begun again to dream of sovereignty. He was organising an army at Shikarpúr. Against this force marched Azím Khan, accompanied by the new King Shah Ayub. No sooner were the Shah and his Wuzír fairly on the march, than Dost Mahommed stepped forward, again proclaimed Sultan Ali and re-seated him in the Balla Hissar. Upon this Azím Khan returned to Kabul; and Sultan Ali vacated the royal apartments. What followed is eminently characteristic of Affghan history. Dost Mahommed advised Sultan Ali to murder Shah Ayub; and Azím Khan advised Shah Ayub to murder Sultan Ali. Sultan Ali indignantly rejected the proposal; Shah Ayub consented, on condition that Azím Khan would return the compliment, by assassinating Dost Mahommed. This was agreed upon. Sultan Ali was strangled in his sleep. Shah Ayub then called upon Azím Khan to perform his part of the tragedy; but the Wuzír coolly asked, "How can I slay my brother?" and recommended a renewal of the expedition to Shikarpúr. The Barukzye forces again left Kabul, and proceeded southward, by the western route; but the army of Shah Súja soon disappeared—melting away without a struggle; and Azím Khan being in the neighbourhood of the Amírs employed himself in the collection of the Sindh Tribute. The immense quantity of treasure in camp, principally derived from the revenues of Kashmir, so excited the cupidity of Dost Mahommed, that he concerted with Sher Díl Khan, to seize it; a plot, which so alarmed Azím Khan that he broke up his camp, and incontinently returned to Kabul.

Azím Khan next planned an expedition against the Sikhs. He had no fear of Runjít Singh, whom he had once beaten in battle. Dost Mahommed accompanied his brother, and they marched upon the frontier, by Jellalabad and the Karapa Pass. Runjít was on the look out for them. He well knew the character of the Barukzye brothers—knew them to be avaricious, ambitious, treacherous; the hand of each against his brethren. He thought bribery better than battle; and sent agents to tamper with Yar Mahommed and the other Peshawur chiefs. They listened to his overtures, hoping to be enabled in the end to throw off the supremacy of Azím Khan. Dost Mahommed received intelligence of the plot; and signified his willingness to join the confederacy. His offer was

accepted; and this important accession to the Sikh party communicated to Runjít Singh. Every thing was soon in train. Azím Khan was at Minchini—with his treasure and his Harem, neither of which, in so troubled a state of affairs, could he venture to abandon. Yar Mahommed wrote to him from the Sikh camp that there was a design upon both. The intelligence filled the Sirdar with consternation and grief. He saw plainly the treachery of his brothers; shed many bitter tears; looked, with fear and trembling into the future; saw disgrace on one side, the sacrifice of his armies and treasure on the other; now resolved to march down upon the enemy, now to break up his encampment and retire, night closed in upon him whilst in this state of painful agitation. The disastrous intelligence soon spread through the camp, though its precise nature was scarcely known beyond his own tent. His followers lost confidence in their chief. They knew that some evil had befallen him; that he had lost heart; that his spirit was broken. The nameless fear seized upon the whole army; and morning dawned upon the wreck of a once formidable force. His troops had deserted him; and he prepared to follow, with his treasure and his Harem, to Jellalabad. Runjít Singh entered Peshawur in triumph; but thought it more prudent to divide the territory between Dost Mahommed and the brothers of Yar Mahommed, than to occupy on his own account, and rule in his own name. The division was accordingly made. In the mean while Azím Khan, disappointed and broken spirited, was seized with a violent disorder, the effect of anxiety and sorrow; and never quitted the bed of sickness until he was carried to the tomb.*

On the death of Azím Khan, (in 1823,) Ishmael, the son of Shah Ayub—the youth, who had murdered Sultan Ali—persuaded his father to seize the wealth of the deceased Wuzír. The Shah called him a blockhead for his pains; but the prince was not to be convinced by the contumelious rhetoric of his father. He still cherished the design of possessing himself of Azím Khan's treasure; but Sher Díl Khan, one of the Kandahar brothers, came to Kabul; entered the Balla Hissar, with a party of adherents; found Ayub and

* Azim Khan does not appear to have recognised the strength of Dost Mahommed's character; and to this great mistake of his life, his premature death must be attributed. Shortly before the expedition to the Sikh frontier, he had not only contemptuously declared that he did not require the services of the Dost, but had actually laid seige to Ghuzni. Azim Khan's batteries caused great slaughter; but Dost Mahommed could not be persuaded to open the gates of the fortress. A negociation took place; and the brothers embraced. But they never forgave each other.

the Shah Zadah together; murdered the latter, and carried off the Shah.* By the assistance of Ziman Khan, the unfortunate monarch was enabled to make his way in safety to Lahore, where Runjít Singh allowed him a monthly stipend of a thousand rupees.

In the meanwhile, Habib-úllah-Khan, son of Azím Khan, had succeeded nominally, to the power possessed by his deceased parent. But he had inherited none of the Wuzír's intellect and energy—and none of his personal influence. Beside the death-bed of his father, he had been entrusted to the guidance of Jubbar Khan; but he had not the good sense to perceive the advantages of such a connection. He plunged into a slough of dissipation, and when he needed advice, betook himself to the counsels of men not much better and wiser than himself. The ablest of his advisers was Amín-úllah Khan, the Loghur chief—known to the present generation as "the infamous Amín-úllah"—he who played so distinguished a part in the recent tragedies at Kabul. This man's support was worth retaining; but Habib-úllah, having deprived the "good Nawab" of his government, attempted to destroy Amín-úllah Khan; and thus, with the most consummate address paved the way to his own destruction. Dost Mahommed, ever on the alert, appeared on the stage, at the fitting moment. Alone he had not sufficient resources to compete with the son of Azím Khan; but the Nawab speedily joined him; and soon afterwards, in the midst of an engagement in the near neighbourhood of Kabul, the troops of Amín-úllah Khan went over bodily to the Dost; and Habib-úllah sought safety within the walls of the Balla-Hissar.

Dost Mahommed having occupied the city, invested the citadel; and would, in all probability, have carried everything before him, if the Kandahar brothers, alarmed by the successes of the Dost, and dreading the growth of a power which threatened their own extinction, had not moved out to the ostensible assistance of their nephew. Dost Mahommed retreated into the Kohistan; but the unfortunate Habib-úllah soon found that he had gained nothing by such an alliance.

* "One Haji Ali," says Mr. Masson, "who is reported to have shot the prince, despoiled the Shah of his raiments and clad him in his own; then by the Sirdar's orders, placed him behind himself on a horse and carried him off to the Burj Vazír. A singular spectacle was offered to the people of the city as Hafi Ali bore the degraded monarch along the streets; but they had become familiar with extraordinary events and regarded them with apathy. The Sirdars when they had given the orders consequent on the feat they had performed, returned to their dwellings in the city with the same composure after the deposition of a monarch, as if they had been enjoying a morning's ride."

His uncles enticed him to a meeting outside the city, seized him, carried him off to the Loghur country; then took possession of the Balla Hissar and appropriated all his treasure. Dost Mahommed, however, was soon in arms again; and the Peshawur brothers were before Kabul. The affairs of the empire were then thrown into a state of terrible confusion. The Barukzye brothers were all fighting among themselves for the largest share of sovereignty; but, according to Mr. Masson, "their followers have been engaged in deadly strife when the rival leaders were sitting together over a plate of cherries." To this fraternal cherry-eating, it would appear that Dost Mahmomed was not admitted.* Sitting over their fruit, the brothers came to the determination of alluring the Dost to an interview and then either blinding or murdering him. The plot was laid; everything was arranged for the destruction of the sirdar; but Hadjí Khan Khakur, who subsequently distinguished himself as a traitor of no slight accomplishments, having discovered in time that Dost Mahommed was backed by the strongest party in Kabul, gave him a significant hint, at the proper moment; and the Sirdar escaped with his life. After a few more brotherly schemes of mutual extermination which, although eminently characteristic, we must pass by unnoticed, the brothers entered into a compact by which the government of Ghuzni and the Kohistan was secured to Dost Mahommed, whilst Sultan Mahommed of Peshawur succeeded to the sovereignty of Kabul. The truce was but of short duration.

Sher Díl Khan,t he most influential of the Kandahar brothers died. A dangerous rival was thus swept away from the path of Dost Mahommed. The Kuzzilbashes, soon afterwards, gave in their adherence to the Sirdar, who now felt himself in a position to strike another blow for the recovery of Kabul. Sultan Mohammed had done nothing to strengthen himself at the capital; and, being summoned either to surrender or to defend himself, he deemed it more prudent to negociate. Consenting to retire on Peshawur, he marched out of one gate of Kabul, whilst Dost Mahommed marched in at another, the followers of the latter shouting out a derisive adieu to the departing chief.

From this time (1826) to the day, on which his followers deserted him at Urghandi, after the capture of Ghuzni by the British troops, Dost Mahommed was supreme at Kabul.

* Mr. Vigne says, that Dost Mahommed and Sher Díl Khan were the cherry-eaters. We do not pretend to determine the point.

His brothers saw that it was useless to contest the supremacy; and at last they acknowledged the unequalled power of one, whom they had once slighted and despised. And now was it that Dost Mahommed began fully to understand the responsibilities of high command and the obligations of a ruler both to himself and his subjects. He had, hitherto, lived the life of a dissolute soldier. His education had been neglected, and in his very boyhood, he had been thrown in the way of pollution of the foulest kind. From his youth he had been greatly addicted to wine; and was often to be seen in public, reeling along in a state of degrading intoxication or scarcely able to sit his horse. All this was now to be reformed. He taught himself to read and to write, accomplishments which he had before possessed, scantily, if at all; he studied the Koran; abandoned the use of strong liquors; became scrupulously abstemious, plain in his attire, assiduous in his attention to business; urbane and courteous to all. He made, and without exposing himself to a charge of hypocrisy, a public acknowledgement of his past errors and a profession of a reformation. "The days," says General Harlan, and the truth of the statement is not to be questioned, "that Dost Mahommed ascended the Musnud, he performed the "Toba", which is a solemn and sacred formula of reformation, in reference to any accustomed moral crime or depravity of habit. He was followed in the Toba by all his chiefs, who found themselves obliged to keep pace with the march of mind—to prepare for the defensive system of policy, this assumption of purity, on the part of the prince, suggested. The Toba was a sort of declaration of principles; and the chiefs viewing it in that light, beheld their hopes of supremacy in imminent hazard....In later life the Amír became sensible of the advantages arising from learning. Although knowledge of literature among Mahommedan nations is confined to a contracted sphere, at least the reputation of theological science was essential to the chief, on whom had been conferred the title of Amír-ul-Mominín, or commander of the faithful. To escape the humility of dependence, upon subordinate agents, more especially the secretaries necessarily employed in all revenue and judicial transactions, he tasked his mind with the acquisition of letters, and became worthy, by his industry and success in the pursuit, of the greatest respect of the great, as he commanded the admiration of the vulgar, who are ever accustomed to venerate the divinity of wisdom."

It is not to be questioned that there was, at this time, in

the conduct of Dost Mahommed, as a ruler, much that may be regarded with admiration and respect even by Christian men. Power does not seem to have elated him with pride. Simple in his habits, remarkably affable in his manner, he was accessible to the meanest of his subjects, ever ready to listen to their complaints and to redress their grievances. He seldom rode abroad without being accosted in the public streets or high ways, by citizen or by peasant, waiting to lay before the Amír a history of his grievances, or his sufferings; and to ask for assistance or redress. And he never passed the petitioner—never rode on; but would rein in his horse, listen to the complaints of the poorest of his subjects, and give directions to his attendants to take the necessary steps to render justice to the injured, or to alleviate the sufferings of the distressed. Such was his love of equity, indeed, that people asked "Is Dost Mahommed dead that there is no justice?"

He is even said by those, who knew him well, to have been kindly and humane—an assertion at which many who have read the history of his early career will smile. But no one, who fairly estimates the character of Affghan history and Affghan morals, and the necessities, personal, and political, of all, who take part in such stirring scenes as those, which we have endeavored faintly to describe, can fail to perceive that his vices were rather the growth of circumstances than of any extraordinary badness of heart. He was not by nature cruel; but once embarked in the strife of Affghan politics, a man must either fight it out or die. Every man's hand is against him and he must turn his hand against every man. There is no middle course open to him. If he would save himself, he must pause at nothing. Even when seated securely on the musnud, an Affghan ruler must, of necessity, commit acts abhorrent to our ideas of humanity. He must rule with vigor or not at all. That Dost Mahommed, during the twelve years of supremacy which he enjoyed at Kabul, often resorted, for the due maintenance of his power, to measures of severity incompatible with the character of a humane ruler, is only to say that, for twelve years, he retained his place at the head of affairs. Such rigor is inseparable from the government of such a people. We cannot rein wild horses with silken braids.

But, although Dost Mahommed was now in the enjoyment of a season of comparative rest, the even tenour of his life, as undisputed ruler of Kabul, was, ever and anon interrupted, by martial Episodes—slight disorders such as are inseparable from the constitution of Affghan society. A rebellion in Taghon occupied much of his attention, in 1831;

the Sirdar moved out against his contumacious subjects, beseiged and razed their strongholds, and drove them like cattle to the mountains. Soon afterwards he marched upon Balla-Bugh, which was held by Osman Khan, reduced it, after a seige of two days; and then moved down, with a strong force and battering train upon Jellalabad. Here Mahommed Zemaun Khan determined to offer a stout resistance. Some time before, being aided by the Peshawur chiefs, and by Jubbar Khan, who deserted the Sirdar at a critical moment, he had held out with good success, and his opposition would probably have endangered the safety of Dost Mahommed, if the Nawab (Jubbar Khan) had not again stepped forward to play the old part of negociator and induced a cessation of hostilities. The Kabul and Peshawur forces were withdrawn. Dost Mahommed affected contrition, and "wrote a series of dreadful imprecations on himself, if ever he wrested Jellalabad from him, on a leaf of the chief's Koran." Having thus allayed the fears of Zemaun Khan, the Sirdar returned to Kabul; and removed Jubbar Khan from the government of the Ghiljí country—a punishment which does not appear to have been wholly undeserved. But now, utterly regardless of the oaths he had sworn on that former occasion, he again appeared before Jellalabad, ran a mine under one of the bastions of the fort, effected a breach, and carried the place. The town, with the exception of the residence of Zemaun Khan and a few other parties under the special protection of the Dost, was given up to plunder. "As for the Nawab Mahommed Zemaun Khan," says Mr. Masson, who was in the neighbourhood of Jellalabad at the time, "as soon as the town was entered, he seated himself, with the Koran in his hands, open at the part where Dost Mahommed Khan, two years before, had written the most horrible denunciations upon himself if ever he deprived him of Jellalabad." The Nawab's person was respected; but his power was gone. Jellalabad was placed under the Government of Amír Mahommed Khan.*

These, however, were but insignificant incidents in the eventful career of the Kabul chief. He was soon called upon to face a more pressing danger and to prepare himself for a

* As a set off to these services, Zemaun Khan made an effort to assassinate Dost Mahommed but the creature employed to do the deed, having obtained entrance into the Sirdar's dormitory, relented, just at the right time, and instead of murdering the sleeping chief stole his pejammahs. These he presented to the Nawab and claimed his reward. The chronicles do not state whether he obtained it. It is not very clear, either, whether this little incident was the cause or the effect of the capture of Jellalabad.

more vigorous contest. The exiled Suddozye prince, Shah Súja, whose life had been one series of extraordinary vicissitudes was about to make another effort to re-establish himself in the Dourani empire; and with this object, was organising an army in Sindh. Had there been any sort of unanimity among the Barukzye brothers this invasion might have been laughed to scorn, but Dost Mahommed felt that there was treachery within, no less than hostility without, and that the open enemy was not more dangerous than the concealed one. Jubbar Khan, Zemaun Khan and others were known to be intriguing with the Shah. The Nawab indeed, had gone so far as to assure Dost Mahommed that it was useless to oppose the Suddozye invasion, as Súja-úl-múlk was assisted by the British Government and would certainly be victorious. He therefore implored the Sirdar to pause before he brought down upon himself certain destruction, alleging that it would be better to make terms with the Shah, to secure something rather than to lose everything. Dost Mahommed, who, knowing his man, knew that Jubbar Khan had thrown himself into the arms of the Suddozye, laughed significantly, and said "Lala, it will be time to enough talk about terms, when I have been beaten." This was unanswerable. The Nawab retired; and preparations for war were carried on with renewed activity.

The Shah had penetrated as far as Kandahar before Dost Mahommed gave him battle, He had made Shikarpúr his place of rendezvous, but having entered the territory of the Amírs as a friend, he did not quit it before he had fought a hard battle with them and effectually beaten them. The pecuniary demands which he had made upon them, they had resisted; and the Shah, having a considerable army at his command, thought fit to enforce obedience. Early in January 1834, an engagement took place near Rori and the pride of the Amírs having been humbled by defeat, they consented to the terms he demanded. Having arranged this matter to his entire satisfaction, Shah Súja marched upon Kandahar, and in the early summer was before the walls of the city. He invested the place and endeavored ineffectually to carry it by assault. The Kandahar chiefs held out, with much resolution; but it was not until the arrival of Dost Mahommed from Kabul that a general action was risked. The Dost determined to lose no time in attacking the enemy—a determination strengthened by the Shah's fatuous abandonment of a strong entrenched position which he had taken up. Mahommed Akbar Khan commanded the cavalry; Abdúl Sarmat Khan the infantry. The Sirdar made according to his judgment

the best possible dispositions ; but no great amount of military skill appears to have been displayed on either side ; Akbar Khan's sowars charged the enemy with much gallantry ; but a battalion of the Shah's troops, under an Indo-Briton, named Campbell, fought, with such uncommon energy, that at one time the forces of the Barukzye chiefs were driven back ; and victory appeared to be in their reach. But Dost Mahommed, who had intently watched the conflict, and kept a hand-full of chosen troops in reserve, now let them slip, rallied the battalions which were falling back, called upon Akbar Khan to make one more struggle, and at length succeeded in rolling back the tide of victory. Shah Sújah, who, on the first appearance of Dost Mahommed, had lost all heart, and actually given orders to prepare for flight, called in his desperation, upon Campbell to "Chupao-chupao ;" then ordered his elephant to be wheeled round, and turned his back upon the field of battle. His irresolution seems to have proved fatal to his cause. The game was up. The Barukzye troops pushed forward. Campbell, who had fallen like a brave man, covered with wounds, was taken prisoner with others of the Shah's principal officers ; and all the guns, stores, and camp-equipage, of the Suddozye prince fell into the hands of the victors. The scenes of plunder and carnage which ensued are said to have been terrible. The Kandahar chief urged the pursuit of the fugitive Shah ; but Dost Mahommed opposed the measure, and the unfortunate prince was suffered to escape.

But scarcely had Dost Mahommed returned to Kabul when he found himself compelled to prepare for a new and more formidable enterprise. Runjít Singh was in possession of Peshawur. The treachery of Sultan Mahommed Khan and his brothers had rebounded upon themselves ; and they had lost the province which had been the scene of so much intrigue. In their anxiety to destroy Dost Mahommed, they opened a communication with the Sikhs, who advanced to Peshawur ostensibly as friends, and then took possession of the city. Sultan Mahommed Khan fled. His defeat was most ignominious. The Sikh force, under Harí Singh consisted only of nine thousand men ; and had the Affghans been commanded by a competent leader they might have driven back a much stronger force ; but the utmost imbecility was manifested.* The

* Mr. Masson, who was in Peshawur when the Sikhs entered, gives a graphic and amusing account of the affair, which is worth quoting,—"after he had procured from the Sirdars beyond the ordinary complement of tribute, he sent a message to them, that the Shâhzâda Noh Nihâl Singh, the grandson of Runjit Singh, who was with the army, desired to see the city, and it would be well that they should evacuate it, and retire to Bâgh Alí Mardan Khân, when the Shâhzâda would ride round

Peshawur chiefs were everlastingly disgraced, and Peshawur lost to the Affghans for ever.

But Dost Mahommed resolved at least to make a vigorous effort to recover the country which the fatuous conduct of his brothers had lost. To this end, he determined on declaring a religious war against the Sikhs, and began with characteristic energy to organise a force sufficiently strong to wrest Peshawur from the hands of the usurpers. To strengthen his influence he assumed, at this time, the title of Amír-al-Mominín (commander of the faithful)† and exerted himself to

it, and then the army would retire towards Atâk. The morning came, when Súltân Mâhommed Khân who had always his spy glass in hand, descried the Síkh force in motion. All became panic-struck, and horses were saddled and mounted in a trice. The house was emptied as if by magic, and none remained in it but Abdúl Ghías Khân, his party, and myself. We ascended the roof, and beheld the Sikhs moving forward in a very respectable style. In the van was the young Shâhzâda on an elephant, with Harí Singh and a variety of Síkhs chiefs, attended by a host of cavalry. Behind them followed the battalions of the court, advancing in columns at a brisk pace. On reaching the gardens attached to the house we were in, the first shots were fired, some Affghâns being concealed among the trees. They were soon cleared out, and the march of the force was not affected by the desultory opposition. Subsequently we heard some smart firing, and learned during the day that the Síkhs pressing too close upon Hâjí Khân, who covered the retreat of Súltân Mâhommed Khân, the Khân lost patience and turned upon them. He handled them very severely, and, as admitted by themselves, checked their advance until the battalions came up. Khân Mâhommed Khân, the brother of Hâjí Khân, was badly wounded in this skirmish, but was borne off the field. Some very splendid instances of individual bravery were exhibited by the Affghans, and one gallant fellow cut down six of his opponents. The Sikhs, having completed the circuit of the city encamped under the Bâlla Hissár to the east, the discomfited Sirdárs retired to Túkkâl, and then to Shékhân, at the skirts of the hills. My Mírza in the course of the day went to the Sikh camp, where he saw Harí Singh, who asked where I had been during the tamásha or sport. He replied, that I had witnessed it from the roof. He then asked, jocularly, where the Sirdárs had gone. The Mírza said to Túkkál, to prepare for battle. The Sirdar laughed and said, no, no: nasghir, nasghir; they have run away, they have run away; some to Kohât, some to Khaibar. I certainly was amused at the almost ridiculous manner in which the Sikhs had made themselves masters of an important and productive country, and Súltân Mâhommed Khân was as much to be laughed at, as to be pitied, for in place of adopting any means of defence he had sent away the better part of his troops and prohibited the citizens and people of the country from defending the city as they wished. Pír Mâhommed Khân was accustomed to say that he had three lakhs of rupees, and did not care who knew it; that he had reserved them for such a crisis as this; that he would assemble the Gházís, and do many wonderful things. Hâjí Khân would, when such valorous speeches were made, embrace the Sirdár, saying he must kiss the lips from which such words flowed. Pír Mâhommed Khân, however, thought it better to keep his three lakhs of rupees and hastened to Kohât to collect what he could from the inhabitants, previously to his departure ultimately from the country. The force with Harí Singh did not exceed nine thousand men: and had a show of serious resistance been made, he would at least have been obliged to temporise; also, had the city, although an open one, been put in a condition for defence, and the system of kúcher bundí adopted, he was scarcely competent to have forced it. As it was, with a small force he possessed himself of a country which some years before, Runjit Singh in person, with twenty-five thousand men did not venture to retain.

† He had been recommended by some to assume the titles of royalty—as death under a royal banner is Mussulman martyrdom, and therefore ensures a translation to Heaven—but he replied that as he was too poor to support his dignity as a Sirdar, it would be preposterous to think of converting himself into a King.

inflame the breasts of his followers with that burning Mahommedan zeal, which has so often impelled the disciples of the Prophet to deeds of the most consummate daring and most perfect self-abandonment. Money was now to be obtained; and to obtain it much extortion was doubtless practised. An Affghan chief has a rude, and somewhat arbitrary manner, of levying rates and taxes. Dost Mahommed made no exception, in his conduct to "the good old rule," which had so long, in critical conjunctures, been observed, in that part of the world. He took all that he could get; raised a very respectable force; coined money in his own name; and then prepared for battle.

At the head of an imposing array of fighting men, the Amír marched out of Kabul. He had judged wisely. The declaration of war against the infidel—war proclaimed in the name of the Prophet—had brought thousands to his Banner; and ever as he marched the great stream of humanity seemed to swell and swell, as new tributaries came pouring in from every part, and the thousands became tens of thousands. From the Kohistan, from the hills beyond, from the regions of the Kurdú-Kúsh, from still remoter fastnesses, multitudes of various tribes and denominations, moved by various impulses, but all noisily boasting their true Mahommedan zeal, came flocking in to the Amír's standard. Ghiljís and Kohistanís; sleek Kuzzilbashes, and fanatic Ghazís—horse-men and foot-men—all who could lift a sword or a match-lock, obeyed the call in the name of the Prophet. "Savages from the remotest recesses of the mountainous districts," wrote one, who saw this strange congeries of Mussulman humanity,* "who were dignified with the profession of the Mahommedan faith, many of them giants in form and strength, promiscuously armed with sword and shield, bows and arrows, matchlocks, rifles, spears and blunder-busses, concentrated themselves around the standard of religion and were prepared to slay, plunder, and destroy, for the sake of God and the Prophet, the unenlightened infidels of the Punjab."

The Mussulman force reached Peshawur. The brave heart of Runjít Singh quailed before this immense assemblage; and he at once determined not to meet it openly in the field. There was in his camp, a man named Harlan, an American adventurer, now a doctor and now a general, to whom we have more than once alluded during the progress of this narrative. Clever and unscrupulous, he was a fit agent to do the Maharajah's bid-

* General Harlan.

ding. Runjít despatched him, as an envoy to the Affghan camp. He went ostensibly to negociate with Dost Mahommed; in reality to corrupt his supporters. "On the occa-
'sion," he says, with as little sense of shame, as Mohan Lal manifests when recording his exploits in the same line, "of
'Dost Mahommed's visit to Peshawur, which occurred during
'the period of my service with Runjít Singh, I was despatch-
'ed by the Prince as ambassador to the Amír. I divided his
'brothers against him, exciting their jealousy of his growing
'power, and exasperating the family feuds, with which from
'my previous acquaintance, I was familiar, and stirred up the
'feudal lords of his durbar, with the prospects of pecuniary
'advantages. I induced his brother Sultan Mahommed Khan,
'the lately deposed chief of Peshawur, with 10,000 retainers
'to withdraw suddenly from his camp about nightfall. The
'chief accompanied me towards the Sikh camp, whilst his fol-
'lowers fled to their mountain fastnesses. So large a body
'retiring from the Amír's control, in opposition to his will,
'and without previous intimation, threw the general camp into
'inextricable confusion, which terminated in the clandestine
'route of his forces, without beat of drum, or sound of bugle,
'or the trumpet's blast, in the quiet stillness of midnight. At
'day-break no vestige of the Affghan camp was seen, where
'six hours before 50,000 men and 10,000 horses, with all the
'busy host of attendants, were rife with the tumult of wild
'emotion.*" Thus was this notable expedition brought prematurely to a disastrous close. Treachery broke up, in a single night, a vast army which Runjít Singh had contemplated with dismay. The Amír with the *debris* of his force, preserving his guns, but sacrificing much of his camp equipage, fell back upon Kabul; re-seated himself quietly in the Balla-Hissar, and, in bitterness of spirit, declaiming against the

* It would appear that Dost Mahommed instigated by Mirza Samí Khan, seized Mr. Harlan, as well as the Faqír Azizúdín, who was also sent, as an ambassador into the Amír's camp. The Dost endeavored to throw the odium of the act upon Sultan Mahommed, hoping thereby to ruin him utterly in the opinion of the Sikhs; but Sultan Mahommed, after having taken a number of oaths on the Koran, pledging himself to compliance with the Amír's wishes sent back the prisoners (or *hostages* as Dost Mahommed called them) to the Maharajah's Camp. Mr. Harlan, in his published work, says nothing about this; and the "forthcoming personal journal, promised some years ago, has not yet appeared. Mohan Lal says that "the appalling news (of the treachery of Sultan Mahommed) wounded the feelings of the Amír most bitterly. There were no bounds to the sweat of shame and folly which flowed over his face, and there was no limit to the laughter of the people at his being deceived and ridiculed. His minister, Mirza Samí Khan was so much distressed by this sad exposure of his own trick, and still more by the failure of his plan in losing the Faqír, that he hung down his head with great remorse and shame, and then throwing away his state papers, he exclaimed that he would avoid all interference in the government affairs hereafter."

emptiness of military renown, plunged deep into the study of the Koran.

From this pleasant abstraction from warlike pursuits, the Amír was, after a time, aroused by a well-grounded report to the effect that Súltan Mahommed had been again intriguing with the Sikhs and that a plan had been arranged for the passage of a Punjabí force through the Khybur pass, with the ultimate intention of moving upon Kabul: an expedition was accordingly fitted out, in the spring of 1837; but the Amír, having sufficient confidence in his son Afzal Khan and Mahommed Akbar, sent the sirdars in charge of the troops, with Abdúl Sami Khan, his minister, as their adviser. The Affghan forces laid siege to Jumrúd, and on the 30th of April, Harí Singh came from Peshawur to its relief. An action took place, in which both the young sirdars greatly distinguished themselves and Shumshúdín Khan cut a no less distinguished figure. The Sikh chieftain Harí Singh was slain; and his disheartened troops fell back and entrenched themselves under the walls of Jumrúd. Akbar Khan proposed to follow up the victory by dashing on to Peshawur; but the Mirza who, according to Mr. Masson had, during the action, "secreted himself in some cave or sheltered recess, where in despair, he sobbed, beat his breast, tore his beard, and knocked his head upon the ground," now made his appearance, declaring that his prayers had been accepted, and "entreated the boasting young man to be satisfied with what he had done." The advice was sufficiently sound; for strong Sikh reinforcements soon appeared in sight and the Affghan army was compelled to retire. Akbar Khan plumed himself greatly on this victory; but it was not a very glorious achievement. In one respect, however, it was a heavy blow to the Maharajah. Runjít Singh had lost one of his best officers and dearest friends. The death of Harí Singh was never forgotten or forgiven.

We now nearly approach the period at which the stirring career of Dost Mahommed assumes a new and peculiar interest as bearing upon the most eventful epoch of the recent history of British India. The Shah of Persia had long threatened Herat and in the summer of 1837, actually commenced his march upon that frontier city. On the 15th of November Ghorian capitulated; and a few days afterwards, the Persian army was under the walls of Herat. In a recent article* in this journal, we considered at some length, the effect produced throughout India, and more especially in the Council-chamber

* Art. "Sir W. H. Macnaghten." No. 3.

of the Supreme Government, by the intelligence of the advance of the Persian army, and the assistance rendered to the Shah's force by officers in the Russian service. We shall not now enter anew upon this discussion; but proceed at once to notice the circumstances connected with the despatch of Capt. Burnes to the Court of Dost Mahommed, and the subsequent proceedings of that officer at Kabul.

On the arrival of Lord Auckland at Calcutta, as Governor-General of India, Dost Mahommed lost no time, after receipt of the intelligence, in addressing to his Lordship a complimentary letter, expressive of his own friendly sentiments and his hopes of an entire reciprocity of kindly feeling. "The field of 'my hopes," he wrote in the spring of 1836, "which had before 'been chilled by the cold blast of wintry times, had, by the 'happy tidings of your Lordship's arrival become the envy 'of the garden of paradise." He then adverted to his relations with the Sikhs, saying "The late transactions in this 'quarter, the conduct of reckless and misguided Sikhs, and 'their breach of treaty, are well known to your Lordship. 'Communicate to me whatever may suggest itself to your wis-'dom for the settlement of the affairs of this country, that it 'may serve as a rule for my guidance;" and concluded by adding, "I hope your Lordship will consider me and my 'country as your own;"—a hope, which in due course of time, was literally fulfilled. Lord Auckland took the Amír to his word.

The Governor-General returned a friendly reply to this friendly letter, expressing his "wish that the Affghans should be a flourishing and united nation;" enforcing upon Dost Mahommed the expediency of promoting the navigation of the Indus; hinting that it was his intention soon to "depute some gentlemen" to the Amír's Court, to discuss with him certain commercial topics; and adding with reference to the Dost's dissensions with Runjít Singh, "my friend you are 'aware that it is not the practise of the British Government to 'interfere with the affairs of other independent states." If the Amír was ever aware of this, he soon learnt to his cost, that immutability is not an attribute of the practices of the British Government.

In accordance with Lord Auckland's intimation, "some gentlemen" were deputed, on a commercial mission, to the Amír's court. The gentlemen named were Captain Burnes, an officer of the Bombay infantry, who had recently published an interesting account of his travels through central Asia, interspersed with chapters of Affghan history and politics—Lieutenant

Leech, of the Bombay Engineers, who had acquired early in life an extraordinary proficiency in the oriental languages, Lieutenant Wood of the Indian navy, and Dr. Perceval Lord, a medical officer of rare accomplishments, whose early death, on the field of battle, literature and science will long deplore. The mission was instructed, in the first place to proceed to Hyderabad, with letters to the Amírs of Sindh, thence to ascend the Indus, and proceed to Peshawur, Kabul, and Kandahar. The officers of the mission soon separated. Wood and Lord were despatched to Kúndúz, Leech was deputed to Kandahar; whilst Burnes, as the head of the Embassy, was engaged at the Court of Dost Mahommed, playing a more difficult game of diplomacy than he ever thought would fall to his lot. To his movements, as the chief actor, on the one side, in the events which followed, we purpose chiefly to direct our attention.

As the mission entered Affghanistan, it was met by friendly deputations from the Amír, bearing letters expressive of the warmest welcome and the kindliest sympathy. Every honor was rendered to the British embassy; and as Burnes neared the capital, the favorite son of Dost Mahommed—that very son, who, four or five years later, expelled the British so ignominiously from his country—came forward to meet the mission, and conduct it to his father's court. Mahommed Akbar was accompanied by a large retinue; and the procession which entered Kabul is said to have been highly imposing. The Amír, indeed, had spared no pains to render it so; his anxiety to give a fitting welcome to the delegates of a friendly power was so great, that not satisfied with such official pomp as his own immediate resources could impart to the entrance of the British Mission, he requested the principal citizens of Kabul to aid him in welcoming the strangers. Nothing could have been more cordial than his reception of Burnes and his attendants. "He received us most cordially," writes Mohan Lal, "and near his own palace a beautiful garden surrounded with 'the most comfortable apartments was allotted to us, as our 'place of residence."

The mission entered Kabul on the 20th of September, 1837. On the following day, the Amír formally received the representatives of the British Government, "with many expressions 'of his high sense of the great honour conferred on him, in his 'at last having had the means of communicating with an officer 'of the British Government."* Burnes submitted his creden-

* Letter of Capt. Burnes to W. H. Macnaghten, Esq.

tials. The letters were opened by the Amír himself, and read by his minister, Abdul Sami Khan. They introdueed Burnes to his highness solely as a eommereial messenger; but this flimsy veil was soon dropped; it was evident from the first that whatever might have been his instruetions—whatever might have been the proximate, or rather the ostensible objeet of the mission, Burnes had ulterior designs, and that he, in reality, went to Kabul either as a spy or politieal diplomatist. He had not been three days at Kabul, before he wrote to Mr. Maenaghten to say that he should take an early opportunity of reporting what transpired at the Amír's eourt; and ten days afterwards, we find him announeing "the result of his inquiries on the subjeet of Persian influence in Kabul, and the exaet power whieh the Kuzzilbash, or Persian, party resident in this eity, have over the politics of Affghanistan." Indeed, three months before, he had written to a private friend, "I eame to look after eommeree, to superintend surveys and examine passes of mountains, and likewise eertainly *to see into affairs and judge of what was to be done hereafter;* but the hereafter has already arrived."—This "seeing into affairs," this "reporting what transpired at the Amír's eourt," this writing at length the result of his inquiries into the subject of Persian influenee, &c. &e., under eover of a purely eommereial mission,—his eredentials distinetly stating that he was sent "to eonfer with" Dost Mahommed "as to the best means of faeilitating eommereial intereourse between Affghanistan and India,"—is not altogether very unlike playing the part of a spy.*

On the 24th of September Burnes was invited to a private eonferenee with Dost Mahommed. It took plaee in "the interior of the Harem" of the Balla-Hissar—Akbar Khan alone being present. Dinner was served; and "the interview lasted till midnight." The Dost listened attentively to all that Burnes advaneed relative to the navigation of the Indus and the trade of Affghanistan, but replied, that his resourees were so erippled by his war with the Sikhs, that he was eompelled to adopt measures injurious to eommerce, for the mere purpose of raising revenue. He spoke with mueh warmth of the loss of Peshawur, whieh, he alleged, had been wrested from him, whilst he was engaged in war with Shah-Súja. Burnes replied with a number of eut-and-dry sentenees about the ability and resourees of Runjít Singh—to all of whieh the

* On the 4th October Burnes wrote a long *political* letter to Macnaghten; and on the following day, one in which he slightly touched on commercial topics, but soon rushed headlong into politics.

Amír cheerfully assented; and acknowledged, at the same time, that he was not strong enough to cope with so powerful an adversary. "Instead of renewing the conflict," he said, "it would be a source of real gratification if the British Government would counsel me how to act: none of our other neighbors can avail me; and in return I would pledge myself to forward its commercial and its political views." Burnes replied that he heard with pleasure this acknowledgement; and assured him that the British Government would exert itself to secure peace between the Punjab and Affghanistan, adding that although he could not hold out any promise of interference for the restoration of Peshawur, which had been won and preserved by the sword, he believed that the "Maharajah intended to make some change in its management, but that it sprung from himself not from the British Government." The Amír showed great anxiety to be made acquainted with the precise character of these contemplated arrangements; but all that Burnes could offer was a conjecture that the Maharajah might be induced to restore the country, under certain restrictions, to Sultan Mahommed Khan and his brothers, to whom, and not to the Dost, it had formerly belonged.

On the evening of the 4th of October, Burnes was again invited to the Balla-Hissar, the Amír having in the mean time waited upon him in his own quarters. At this second conference in the palace, the Nawab Jubbar Khan, the Dost's brother was present. On this occasion, to the surprise of the British envoy, the Amír carried his moderation and humility to an excess, which might almost have aroused suspicion. He declared that if the representative of Great Britain recommended him to do so, he would express to Runjít Singh his contrition for the past, and ask forgiveness; and that if the Maharajah "would consent to give up Peshawur to him, he would hold it tributary to Lahore; send the requisite presents of horses and rice; and in all things consider himself, in that part of his dominions, as holding under Lahore." Upon this Burnes suggested that such an arrangement would be destructive to the hopes of Sultan Mahommed, who ought to be regarded with compassion; and asked whether it would not be equally advantageous to the reputation of the Dost that Peshawur should be restored to his brother. To this the Amír replied that the country might as well be in the hands of the Sikhs as in those of Sultan Mahommed, who, indeed, was his enemy, as it would never be believed that Runjít Singh had withdrawn from the countries westward of the Indus;—little more passed at this meeting. Burnes retired to

speculate upon the conduct of the Dost and write letters to Mr. Macnaghten, at that time, political Secretary to the Goverment of India.

In the mean while the attention of the mission was directed to the state of affairs at Kandahar. The chief of that place, Mohan dil Khan, had not only declared his willingness to embrace the Persian alliance, but had determined on sending his second son, with the Persian Agent, to Persia, as the bearer of presents to the Shah and the Russian embassy. Against this course of procedure Dost Mahommed had protested. "Oh! my brother," he wrote, "if you will do these things without my concurrence, what will the world say to it?" There can be no doubt of the Dost's sincerity. Indeed, it was the conviction that the Kabul chief was entering with his whole soul into the British alliance, to the exclusion, as it was believed, of the Kandahar Sirdars, that drove the latter to strengthen themselves with Persia. Burnes himself had no doubt that the Dost was at that time, acting a straightforward part. On the 31st he wrote, that another conference had taken place on the 24th, and that what passed on that occasion "set Dost Mahommed's conduct in a light that must prove, as I believe, very gratifying to Government." He then stated, that, on expressing the regret, which he felt on being made acquainted with the misguided conduct of the Kandahar sirdars, the Dost had declared that if such conduct was distressing to the British minister, it was much more distressing to him; that he himself repented of having ever listened to the overtures of Persia; that he would take care publicly to manifest his desire to strengthen his relations with the British Government, and do every thing in his power to induce his Kandahar brothers to adopt a wiser course of policy. Burnes replied that he was delighted to hear the expression of such sentiments; but distinctly stated "that neither he nor his brothers were to found hopes of receiving aid from the British Government"—that so long as they conducted themselves with propriety they might rely upon the sympathy of the British Government, but that they must, by no means, expect to derive anything more substantial from the alliance.* Burnes, who

* And, on the 30th of December, Burnes, with reference to this promised sympathy, wrote, in the following words to Mr. Macnaghten. The passage was not published in the official correspondence. It was thought better to suppress it;—"The present position of the British Government at this capital appears to me 'a most gratifying proof of the estimation in which it is held by an Affghan nation. 'Russia has come forward with offers, which are certainly substantial: Persia 'has been lavish in her promises, and Bokhara and other states have not been 'backward; yet in all that has passed, or is daily transpiring, *the Chief of Kabul*

had come to Kabul, as a commercial agent, was without any political instructions. He could promise nothing. The most that he could do was to write, and to await patiently the receipt of letters from Hindústan.

And, in due course, letters were received at Kabul. There is in the published "correspondence relating to Affghanistan," a wretchedly garbled letter, from Captain Burnes to Mr. Macnaghten, dated January 26, 1838, which, even as it stands in the authorised Blue Book, is an interesting and important document, but which, in its true, unmutilated form, throws a flood of light on the true history of the transactions between Dost Mahommed and the British agent. Before this, Vickovich had appeared on the political stage. "We are in a mess here, wrote Burnes, in a private letter, on the 9th of January. "Herat is besieged and may fall, and the Emperor of Russia 'has sent an envoy to Kabul to offer Dost Mahommed Khan 'money to fight Runjít Singh!!!!! I could not believe my 'eyes or ears, but Captain Vickovich, for that is the agent's 'name, arrived here with a blazing letter three feet long, and 'sent immediately to pay his respects to myself—I of course 'received him and asked him to dinner. This is not the best of it. 'The Amír came over to me sharp, and offered to do as I like, 'kick him out or anything, but I stood too much in fear of 'Vattel to do any such thing; and since he was so friendly 'to us, said I, give me the letters the agent has brought, all 'of which he surrendered sharp, and I sent an express at once 'to my Lord A., with a confidential letter to the Governor-'General himself, bidding him look what his predecessors had 'brought upon him, and telling him that after this, I knew 'not what might happen, and it was now a neck-and-neck race 'between Russia and us." The letters of which Vickovich was the bearer, like those brought by Burnes, were purely of a commercial tendency. They were written in the Russian and the Persian languages, the latter of which was translated by Mohan Lal, who gives in a few lines the substance of the more important one, the letter from the emperor.* The

'*declares that he prefers the sympathy and friendly offices of the British to all 'these offers, however alluring they may seem, from Persia or from the Emperor,* 'which certainly places his good sense in a light more than prominent, and in my 'humble judgment proves that by an earlier attention to these countries we might 'have escaped the whole of these intrigues, and held long since a stable influence in 'Kabul."

* Mohan Lal says very shrewdly—it is one of the best passages in his book, "I 'have heard many people in their talking say, that if the letter of the emperor 'touched upon no other points but those of trade, there was no necessity for taking 'such alarm at its appearance in Kabul, and that it was exaggerated in importance, 'as it appeared to be felt by the Indian government. Though I do not boast of

authenticity of this letter has been questioned. Masson declares that it was a forgery—seal and all; alleging, in proof, that it bore no signature. To this Mohan Lal replies that the absence of the royal signature is a proof rather of the genuine than the counterfeit character of the document. "On 'the contrary," he says, "according to Asiatic usage these are 'the very reasons for confiding in the veracity of the letter. 'In all countries of despotic government, as Affghanistan, 'Turkistan and Persia, and their neighbour the Russians, 'letters are forwarded under the seal and not under the signa-'ture." If Mohan Lal wishes us to believe that Nicholas never attaches his signature to a letter, we must express our very positive incredulity; but we agree with him, in thinking, that, under the circumstances of the case, he would have been more inclined to omit, than to attach, the signature. The fact is that the letter was one to be acknowledged, or repudiated as most convenient; it was intended to satisfy Dost Mahommed, on one hand, and to be suspected by the European allies of Russia, upon the other. That it came from the Cabinet of St. Petersburg we think there is little room to doubt.

The letter from Burnes, of the 26th of January, to which we have alluded above, and which we now have before us in an ungarbled state, contains a full account of an important conference between the Amír and the British Agent, held after the receipt, by the latter, of instructions from the Governor-General.* At this meeting Burnes communicated to Dost Mahommed the sentiments of the Governor-General—a fact, the record of which has been been erased from the published letter—and recommended the Amír, in accordance with the opinions expressed by Lord Auckland, to wave his own claims to Peshawur, and be content with such arrangements as Runjít Singh might be inclined to enter into with Súltan Mahommed. To this the Dost replied that he bore no enmity to his brother, though his brother was full of rancour against him, and would

'being well versed in the histories of India written by talented English authors, 'but from what I have learned from them I come to the conclusion that the disguis-'ed word or appellation for politics is commerce, and that commerce is the only 'thing which expands the views and policy of territorial aggrandisement." A smart back-handed blow this, struck at his own masters.

* An attempt, in the published Blue-Book, was made to conceal the fact of the receipt of these letters, and to make it appear that Burnes acted entirely upon his own responsibility. The genuine letter commenced with the following words, "I have now the honor to acknowledge the receipt of your (the Political Secretary's) letters of the 25th of November and second of December last, which reached me about the same time and conveyed the views of the right honorable the Governor-General regarding the overtures made by Dost Mahommed, &c. &c." In the published version the letter commences with the word, "regarding,"

gladly compass his destruction; that with Súltan Mahommed at Peshawur he would not be safe for a day; and that he would rather see it directly in the hands of the Sikhs, than in the hands of an enemy ever ready to intrigue with the Sikhs for his overthrow. "Peshawur," said he, "has been conquered by the Sikhs; it belongs to them; they may give it to whomsoever they please; if to Súltan Mahommed Khan, they place it in the hands of one, who is bent on injuring me; and I cannot therefore acknowledge any degree of gratitude for your interference, or take upon myself to render services in return,"—and then follow these mollifying sentences, which it was a gross injustice to Dost Mahommed to omit from the published letter, "I admit" (said the Amír) "that it will be highly beneficial in many ways to see the Sikhs once more eastward of the Indus, but I still can dispense with none of my troops or relax in my precautionary measures, as equal if not greater anxieties will attach to me—I have unbosomed myself to you, and laid bare, without any suppression, my difficulties. I shall bear in lively remembrance the intended good offices of the British Government, and I shall deplore that my interest did not permit me to accept that which was tendered in a spirit so friendly, but which to me and my advisers has only seemed hastening my ruin. To Runjít Singh your interference is beneficial as he finds himself involved in serious difficulties by the possession of Peshawur, and he is too glad of your good offices to escape from a place which is a burthen to his finances, but by that escape a debt of gratitude is exactible from him and not from me; and if your government will look into this matter, they will soon discover my opinions to be far from groundless, and my conclusions the only safe policy I can pursue." The Dost having ceased to speak, Jubbar Khan followed, proposing a compromise. He suggested that it might be found advisable to deliver over Peshawur conjointly to the Amír and Súltan Mahommed,—Runjít Singh receiving from the two chiefs the value which he might fix as the terms of surrender. The Dost observed that such an arrangement* would remove his fears, and that

* Burnes commenting on the Nawab's proposal observes, "The observations 'coming from the Nawab Jubbar Khan are the more remarkable, since he is 'devoted to his brother, Súltan Mahommed Khan, and would rejoice to see him 'restored to Peshawur. They consequently carried with me a conviction that the 'Amír's fears are not groundless and that they will deserve all due consideration 'before Government entered upon any measures for attaching this chief to it's 'interests." This passage was, of course, suppressed.

if he appointed Jubbar Khan to represent him at Peshawur he would be sure of an equitable adjustment of affairs. To this Burnes replied in general terms, that the withdrawal of the Sikhs to the eastward of the Indus would be a vast benefit to the Affghan nation; and asked Dost Mahommed whether he would rather see the Sikhs or Súltan Mahommed in Peshawur. The Amír replied that the question put in plain words, was a startling one; but he asked in return, if that could be considered beneficial to the Affghan nation which was especially injurious to him who possessed the largest share of sovereignty in Affghanistan. He then observed, in evidence of the truth of his assertions relative to the dangers to which he was exposed from the supremacy of Súltan Mahommed at Peshawur, "Súltan Mahommed Khan has just sent an agent to the ex-king at Lúdianah (Shah Súja) to offer his services to combine against me and to secure my brothers at Kandahar, in support of this coalition"—"what security," asked the Amír, "am I to receive 'against a recurrence of such practices?" He then continued, "as for the ex-king himself, I fear him not; he has been too 'often worsted to make head, unless he has aid from the 'British Government, which I am now pretty certain he will 'never receive. If my brother at Peshawur, however, under 'a promise of being made his minister, and assisted with Sikh 'agents and money, appears in the field, I may find that in 'expressing my satisfaction at his restoration to Peshawur, I 'have been placing a snake in my bosom—and I may then, 'when too late, lament that I did not let the Sikhs do their 'worst, instead of replacing them by another description of 'enemies." All this was carefully erased from the letter, before it was allowed to form a part of the published Blue-book; and the following just observations of Captain Burnes shared no better fate. "It has appeared to me that they" (the opinions and views of the ruler of Kabul) "call for much deliberation. It will be seen that the chief is not bent on possessing Peshawur, or on gratifying an enmity towards his brothers, but simply pursuing the worldly maxim of securing himself from injury; the arguments, which he has adduced seem deserving of every consideration and the more so, when an avowed partisan of Súltan Mahommed does not deny the justice of the Amír's objection;" and further on, our agent observes (we omit many suppressed passages, which if we were writing a memoir of Alexander Burnes we should be bound to insert), "since arriving here, I have seen an agent 'of Persia with alluring promises, after penetrating as far as

'Kandahar, compelled to quit the country because no one 'has sent to invite him to Kabul. Following him, an agent 'of Russia with letters highly complimentary and promises 'more than substantial, has experienced no more civility than 'is due by the laws of hospitality and nations. It may be 'urged by some that the offers of one or both were fallacious, 'but such a *dictum* is certainly premature; the Amír of Kabul 'has sought no aid in his arguments from such offers, but 'declared that his interests are bound up in an alliance with the 'British Government, which he never will desert as long as 'there is a hope of securing one." There is much more in a similar strain—much more cancelled from the published correspondence—which we are compelled from such an article as this reluctantly to omit. The system of garbling the official correspondence of public men—sending the letters of a statesman or diplomatist into the world mutilated, emasculated—the very pith and substance of them cut out by the unsparing hand of the state-anatomist—can not be too severely reprehended. The dishonesty, by which lie upon lie, a century of lies, is palmed upon the world, has not one redeeming feature. If public men are, without reprehension, to be permitted to lie in the face of nations —wilfully, elaborately, and maliciously to bear false witness against their neighbours, what hope is there for private veracity? In the case before us the *suppressio veri* is virtually the *assertio falsi*. The character of Dost Mahommed has been lied away; the character of Burnes has been lied away. Both, by the mutilation of the correspondence of the latter, have been fearfully misrepresented—both have been set forth as doing what they did not, and omitting to do what they did. We care not whose knife—whose hand did the work of mutilation. We deal with principles, not with persons; —and have no party ends to serve. The cause of truth must be upheld. Official documents are the sheet-anchors of historians—the last courts of appeal to which the public resort. If these documents are tampered with—if they are made to declare historical figments, the grave of truth is dug and there is seldom a resurrection. It is not always that an afflicted parent is ready to step forward in behalf of an injured child, and lay a memorial at the feet of his sovereign, exposing the cruelty by which an honorable man has been represented, in state documents, as doing that which was abhorrent to his nature. In most cases, the lie goes down, unassailed, and often unsuspected to posterity; and in place of sober History we have a florid Romance.

But still, in spite of the declarations of Burnes that Dost Mahommed had little to hope from the operations of the British Government in the east, the Russian mission made but little progress at Kabul. Alluding to the negociations of our agent, Viekovich wrote some time afterwards, "all this has occasioned Dost Mahommed Khan to conduct himself very coldly towards me; and then, as he daily converses with Burnes, from my arrival here to the 20th of February, I have hardly been two or three times in his presence." The fact is that the Russian mission was scurvily treated, up to this time, as we are assured on the concurrent testimony of the British and the Russian agents. But on the 21st of February, letters were received from the Governor-General, stating in the most decisive language—that there was no intention to accede to the propositions of the Amír, regarding Peshawur—and then, but not till then, the conduct of Dost Mahommed underwent a change, and the Russian mission began to rise in importance. On the 2nd of March, Jubbar Khan visited Burnes, and a long discussion ensued relative to the intentions of the British Government, which Burnes again explicitly stated! And on the following day, Abdúl Samí Khan waited upon him, and went over nearly the same ground. He alleged Dost Mahommed "had often written to the British Government about his affairs, and in return they replied to him about their own;" and recurred to the expectations which the Dost had formed of receiving aid from the British and rendering service to them in return. Burnes attended to a message that had been sent to him, stating that the Amír would not wait longer than the vernal equinox in the hope of receiving British assistance, after which time he would consider himself at liberty to listen to the overtures of any other power. For this Abdúl Samí Khan apologised; but repeated, in general terms, the demands of the Dost, and the expectations he had formed of coming to a friendly understanding with the British. On the 4th, the Nawab Jubbar Khan again waited on Burnes. The discussion which ensued, was much the same as that of the preceding day, with the exception of something very much like a proposition from the Nawab to betray his brother; but on the 5th he again appeared with a string of specific demands, dictated by the Amír. "These consisted of a promise to protect Kabul and Kandahar from Persia; of the surrender of Peshawur by Runjít Singh; of the interference of our Government to protect, at that city, those who might return to it from Kabul, supposing it to be restored to Súltan Mahommed Khan; with several other proposals." Upon this

Burnes with an expression of astonishment, declared that, on the part of the British Government, he could accede to none of these propositions; and added that as he saw no hope of a satisfactory adjustment, he should request his dismissal. "The Nawab," said Burnes, "left me in sorrow."

Upon his departure, the British agent sate down, and drew up a formal letter to the Amír, requesting leave to depart for Hindustan. In spite of what had taken place, the letter somewhat startled the Amír, who summoned a meeting of his principal advisers, "which lasted till past midnight."* The conference was resumed, on the following morning; and about mid-day Mírza Samí Khan waited on Burnes and invited him to attend the Amír in the Balla Hissar. The Dost was even more gracious and friendly than usual, he expressed his regret that the Governor-General had shewn so little inclination to meet his wishes; but added that he did not even then despair of forming an alliance advantageous both to England and Affghanistan. A long argument then ensued—but it led to nothing. The old ground was travelled over, again and again. Burnes asked for everything he could; but promised nothing, for he had no power to make any concessions; and the meeting, though it ended amicably, was productive of no good results. Burnes took his departure from the Balla Hissar. He might as well have departed from Kabul.

On the 21st of March, the Amír wrote a friendly letter to Lord Auckland, imploring him, in language almost of humi-

* It is probably of this meeting, or one shortly preceding it, of which General Harlan, who has not much more regard for dates than Mohan Lal, speaks in the following passage. We must premise that Harlan had by this time quitted Ranjít Singh's service and "taken the shilling" from Dost Mahommed. "The document (Lord Auckland's ultimatum) was handed to me amongst others. I satisfied myself, by the Governor-General's signature, of its authenticity, surveying the contents with extreme surprise and disappointment. Dost Mahommed was mortified, but not terrified ..... The Governor-General's ultimatum was handed round and an embarrassing silence ensued. A few minutes elapsed when Abdúl Samí Khan recalled the party from abstraction..... *He* proclaimed that the Governor-General's ultimatum left no other alternative than the dismission of the English agent, for the spirit of the Kuzzilbash party was supercilious and unyielding, though full of duplicity..... Nieb Mahommed Amír Khan Akhúnd-Zadah openly opposed the Kuzzilbash party and urged many weighty arguments in favor of a pacific settlement of the Amír's relations with the British Government, which had now assumed a position so inauspicious; he concluded his oration with these words, addressing the Amír. "There is no other resource for you but to introduce Mr. Harlan in the negociations with Mr. Burnes, and he, through his own facilities and wisdom, will arrange a treaty, according to their European usage, for the pacific and advantageous settlement of your affairs, and to this proposition the council *unanimously* assented." The proposition, it appears, was made to Burnes, but Burnes declined. Harlan says that he then wrote to the British envoy offering to negociate upon his own terms;" but Burnes sent "a reply personally friendly," but "evincing a deficiency of knowledge of first principles concerning the rights of independent powers, in political negociations." Burnes says nothing about this in his official letters. It is not difficult to perceive why.

lity, to "remedy the grievances of the Affghans," to "give them a little encouragement and power." It was the last despairing effort of the Affghan chief to conciliate the good will of the British Government. It failed. The *fiat* had gone forth. The judgment against him was not to be reversed. Other meetings took place—but Burnes knew them to be mere formalities. He remained at Kabul with no hope of bringing matters to a favorable issue; but because it was convenient to remain. He was awaiting the return from Kúndúz of Dr. Lord and Lieutenant Wood. The month of March passed away and the greater part of April; but these officers did not rejoin the mission and Burnes determined to depart without them. Accordingly, on the 20th of April, he turned his back upon Kabul.*

The mission had failed. What wonder? It could by no possibility have succeeded. If utter failure had been the great end sought to be accomplished by the mission the whole business could not have been more cunningly devised. Burnes asked every thing; and promised nothing. He was tied hand and foot; he had no power to treat with Dost Mahommed; all that he could do was to demand on one hand and refuse on the other. He talked about the friendship of the British Government. Dost Mahommed asked for some proof of it; and no proof was forthcoming. The wonder is not that the Amír at last listened to the overtures of others; but that he did not seek other assistance before: no better proof of his earnest desire to cement an alliance with the British Government need be sought for than that involved in the fact of his extreme reluctance to abandon all hope of assistance from the British and to turn his eyes in another direction. It was not until he was driven to despair by resolute refusals from the quarter whence he looked for aid, that he accepted the offers so freely made to him by other states and set the seal upon his own destruction. "Our Government," said Burnes, "would 'do nothing; but the Secretary of the Russian legation came 'with the most direct offers of assistance and money, and as 'I had no power to counteract him by a similar offer, and got 'wigged for talking of it at a time when it would have been 'merely a dead letter to say Affghanistan was under our pro-'tection, I was obliged of course to give in." What better

* Mr. Masson says, that before its departure, the mission had fallen into contempt and that the assassination of Burnes was talked of; he explains, too, what, according to his account, were the real causes of Burnes' departure without his companions—but it does not come within our province to investigate, in this article, Masson's charges against the envoy.

result Lord Auckland could have anticipated, it is hard to say. If the failure of the mission astonished him, he must have been the most sanguine of men.

But we are not about to consider the conduct of the Governor-General of India, but that of the ruler of Kabul. We have endeavored to state with the utmost fairness the principal circumstances attending the failure of the British mission, under Captain Burnes; and we cannot, upon a deliberate review of all these circumstances, come to a conclusion that there was any thing unreasonable—any thing that can fairly be interpreted into an indication of hostile feeling—in the conduct of Dost Mahommed. That, from the very first, he was disappointed, there is no doubt. He had formed exaggerated ideas of the generosity and munificence of the British Government in the East, and, doubtless, expected great things from the contemplated alliance. The mission had scarcely been a day in Kabul, when the feelings of the Amír were shocked—the exuberance of his hopes somewhat straitened—and his dignity greatly offended, by the paltry character of the presents of which Burnes was the bearer. No one ignorant of the childish eagerness with which oriental princes examine the ceremonial gifts presented to them by foreign potentates, and the importance which they attach to the value of these presents as indications of a greater or less degree of friendship and respect on the part of the donor, can appreciate the mortification of Dost Mahommed, on discovering that the British Government, of whose immense resources and boundless liberality he had so exalted a notion, had sent him nothing but a few trumpery toys. Burnes had been directed to "procure from Bombay such articles as would be required to be given in presents to the different chiefs." And it had been characteristically added,—"They ought not to be of a costly nature; but should be chosen particularly with a view to exhibit the superiority of British manufactures." Accordingly the envoy had provided himself with a pistol and a telescope for Dost Mahommed, and a few trifles for the inmates of the Zenana, such as pins, needles, and play-things.*

* Harlan's account of the reception of these presents is at least amusing, and we see no reason to question its veracity;—"when the English Agent," he writes, "who visited Kabul in 1837-38, produced his presents for the Amír's haram (a breach of etiquette most inexcusable in any one pretending to a knowledge of oriental customs) they were distributed by the Sultanah-mother, and it may be readily conceived that a more onerous duty could not have been imposed upon her ladyship, although the value of these donations was inconsiderable and adapted only to the frivolous tastes of savages, or the wretched fancies of rude infatuated Africans. They consisted of pins, needles, scissors, pen-knives, silk-handkerchiefs, toys,

Presents, far costlier than these, had been forwarded to Shah Súja, when the mission under Mountstuart Elphinstone had set out for Affghanistan. The Amír was disappointed. He thought that the niggardliness of the British Government, in this instance, portended no good; nor was he mistaken. He soon found that the intention to give little was manifest in all the proceedings of the mission.

It is said that the Amír asked more than could reasonably be granted—that he had no right to look for the restoration of Peshawur, as that tract of country, on the dismemberment of the Douraní Empire, had fallen to the share of Súltan Mahommed. Is is very true that the country had once belonged to Súltan Mahommed—but nevertheless, the Amír's arguments were perfectly unanswerable. No one who has read the early portion of this article will doubt, for a moment, that Dost Mahommed had nothing to expect from the *friendship* of his brother. Súltan Mahommed had shown by a long course of treachery that he was prepared at any moment to betray the Amír.* To have established him at Peshawur would have been to have paved the way, for the march of Runjít Singh's army to Kabul. So thought Dost Mahommed. Better to submit quietly to the unassisted enmity of the Maharajah, than to have an insidious enemy on the frontier, by whose agency

watches, musical-snuff-boxes, &c, all of which were received with inexpressible surprise, and the feeling followed by a sense of disgust, intermingled with mortification and disappointment. Anticipations, a long time entertained, founded on the fact that Dost Mahommed had *conditionally* solicited the advent of a British Agent at Kabul and sustained by the Amír's cupidity, kept their expectations alive with the hope of a golden subsidy. His highness was honored with a pair of pistols and a spyglass, as though the Governor General would have suggested to the Amír an allegory of the conservative and offensive symbols of good Government! Dost Mahemmed exclaimed with a "pish," as he threw them down before him and averted his face, "Behold! I have feasted and honoured this Feringhee to the extent of 'six thousand rupees, and have now a lot of pins and needles and sundry petty toys 'to show for my folly;" and again—"the distribution of the English trifles almost caused an insurrection among the inmates of the harem. Aga Taj thought her children entitled to choose before all the others, but in this fancy her highness was not gratified, and the disappointment gave rise to many expressions of asperity against the ruling power in her Harem. Her little boy got hold of a musical toy called an accordion. As a matter of course, he soon managed to put it out of order and her highness supposing, in common with all Asiatics, that a Christian is capable of every science sent to me with a request to repair it. I regretted the task exceeded my abilities in mechanics. I learnt from this source, the child of the princess royal, the ridicule and disgust, which the English diplomacy and munificence excited in the minds of the ladies was general in the Amír's family, and did more to lessen the Agent's ascendancy at the Court of Kabul than can easily be imagined by those who are unacquainted with the potency of back-stair influence in an Oriental Court." There may be some exaggeration in all this—but we do not doubt that it is substantially true.

* Burnes spoke of Súltan Mahommed as "a very good man, but incapable of acting for himself;" and even alluded to his elevation to the chiefship of Kabul as one course, which might be pursued by the British Government, on the rupture with Dost Mahommed "a very good man," indeed!

Runjít Singh might have accomplished that which he could not have achieved alone. It was mockery to talk to the Amír about Súltan Mahommed. He had nothing to look for from that quarter, but the blackest perfidy—the most unrelenting hostility. As to the *claims* of Súltan Mahommed, the Súltan had sacrified them by his own misconduct. Had he been true to his brother, had he been true to himself, he might have retained possession of his principality. Treachery on the part of Súltan Mahommed, treachery on the part of Runjít Singh, had lost Peshawur to the Affghans. It was the personal energy—the martial prowess of Dost Mahommed that had secured the supremacy of the Barukzyes in Affghanistan; and as Súltan Mahommed Khan wanted the ability, or the honesty, to hold his own at Peshawur, it was but natural and fitting that the chief of the Barukzyes should endeavour to enter into arrangements better calculated to preserve the integrity of the Affghan frontier. He desired in the first instance the absolute possession of Peshawur on his own account. He subsequently consented to hold it iu vassalage to Runjít Singh. Had the British Government undertaken to effect an amicable arrangement between the Amír and the Maharajah (and such an arrangement might have been effected to the entire satisfaction of both parties) there is no room to doubt that Dost Mahommed would have rejected all overtures from the westward and proved to us a firm and faithful ally. But, instead of this, we offered him nothing but our sympathy; and Dost Mahommed, with all respect for the British Government, looked for something a little more substantial. That his conduct throughout the long negociations with Burnes was characterised by an entire singleness of purpose and straightforwardness of action we do not take upon ourselves to assert; but we may with truth aver that it evinced somewhat less than the ordinary amount of Affghan duplicity—somewhat less, indeed, than the ordinary amount of diplomatic chicanery and deceit. Singleness and straightforwardness do not flourish in the near neighbourhood either of eastern or westeru diplomacy; and perhaps, it is not wise, on our own account, to look too closely into these matters. We doubt whether any eastern potentate ever negotiated with greater sincerity and good faith than did Dost Mahommed upon this occasion; and if we can detect a flaw here and there, we ought not on that account to condemn the general conduct of the man, but, considering the school in which he had been educated, highly extol his freedom from the besetting vices of the country, when we see that his errors were few when they might have

been legion. The wonder is that he acted so honorably—that he was so sincere, so straightforward, so patient, and so moderate. He might have possessed all these qualities, in much scantier measure, and yet have been a very respectable Affghan.

Burnes went; and Vickovich, who had risen greatly in favor, soon took his departure for Herat, promising every thing that Dost Mahommed wanted—engaging to furnish money to the Barukzye chiefs and undertaking to propitiate Runjit Singh. The Russian quitted Kabul, accompanied by Sirdar Mehir Dil Khan, (who, some time previously had arrived at Kabul with the object of winning over the Amír to the Persian alliance) and one Abú Khan, Barukzye, a confidential friend of Dost Mahommed, and, on the present occasion, his representative. It had been arranged that Azim Khan, the Dost's son, accompanied by the minister, Samí Khan, should be despatched to the Shah; but this arrangement being set aside, in consequence of the scruples of the Mirza, Abú Khan was despatched in their place. There were now no half measures to be pursued. Dost Mahommed had flung himself into the arms of Persia.

Vickovich was received with all honour at Kandahar. A treaty between the Barukzye brothers and the Shah was drawn up and signed by the latter. The envoy sent it back to the Sirdars, saying, "Mahommed Shah has promised to give you the possession of Herat, I sincerely tell you that you will also get Ghorian, on my account, from the Shah....When Mahommed Omar Khan arrives here I will ask the Shah to quit Herat and I will remain here with 12,000 troops, and, when you join, we will take Herat, which will afterwards be delivered to you,"—magnificent promises truly; and most refreshing to the souls of the Kandahar Sirdars. The letter was sent on to Dost Mahommed; but it did not fill the heart of the Amír with an equal measure of delight. The Russian alliance was unpopular at Kabul. It had "ruined him in the eyes of all Mahommedans." A crisis, too, was at hand. Intelligence had reached the capital to the effect that not only was the friendship of the British Government irrecoverably lost; but that an expedition was about to be equipped in the Company's dominions with the avowed object of entering Affghanistan and placing Shah Súja-úl-Múlk on the throne, which he had before endeavored to regain.

The intelligence alarmed the Amír. He was scarcely prepared for such a prompt manifestation of the displeasure of the British Government. He had not believed that it would at once assume so practical and so terrible a shape: clearly now before

him rose up, in all their dread proportions, the dangers which threatened his political existence. He saw at once that he had "played the fool and erred exceedingly;" that a few thousand ducats from the Russians and the promise of a letter to Runjít Singh, were but trifles to weigh against an evil of such magnitude as a British army of invasion. But it was too late to repent—idle to revert, with self-reproach, to the past. It was left for him now to provide for the future. He began at once to strengthen the Balla Hissar and to repair the defences of Ghuzni. Money was required to provide means of resistance; to raise it, he increased the burthen of taxation, which already pressed severely upon the inhabitants of the Kohistan, and in so doing lost a further instalment of his now waning popularity.

Ample time was permitted to the Amír to organise his plans of resistance. He, at least, was not startled by a sudden incursion of hostile troops into his dominions. With such formidable natural defences and abundant time to strengthen, to any extent, his artificial ones, he might have bidden defiance to the Suddozye Prince, backed by the whole British army. But one thing was wanting. The nationality of the Affghans seemed to be almost extinct. There was no union among the Barukzye brothers. There was scarcely a chief in the country, who was not prepared to sell his birthright for a mess of pottage. Dost Mahommed had, indeed, long ceased to look for any effectual support from the other sons of Sarfraz Khan; he now trusted to his own. It had, for some time, been his policy to supersede, as far as was possible, the influence of his brothers by putting forward his sons. Afzul Khan and Akbar Khan had done good service at Jamrúd.* They had early evinced the possession of no small share of the military prowess and personal energy of their father. To them and to Hyder Khan he now entrusted the command of his troops. It was a perilous game that he was involved in; but he did not despair.

From the dust of Lúdianah rose Shah-Súja—the pensioned exile—the hopeless fugitive—the man of many reverses, now suddenly to become a king, the signer of treaties, the favored ally of the British Government. In circumstances

* Mohan Lal says, that Afzul Khan really did the work and Akbar Khan claimed the credit. "Since that period (the battle of Jamrúd) "he writes" the eldest son of the Amír, Mahommed Afzul Khan, with other heroes of the family, is very much disheartened. No feeling of true regard has since existed between the father and these sons; and Akbar Khan continues gaining the strength and favor of the Amír"....He exalts Afzul Khan, in other passages, and lowers Mahommed Khan—but we can scarcely regard Mohan Lal as an unprejudiced witness.

how changed—in character how unchanged! Surrounded by an army of his own, which had sprung up as though by magic, supported by a brilliant force of well-disciplined European troops, and attended by a cluster of the most distinguished European diplomatists in India, the mendicant of yesterday re-entered his old dominions; and as the battle was to be fought *for* him, and not *by* him, he was full of confidence and courage. It is no part of the task which we have set ourselves, to describe the operations of the army of the Indus, or to discuss the policy of the expedition. In the month of July 1839, the Suddozye prince and the British army were before Ghuzní. Hyder Khan commanded the Garrison. Afzul Khan, with his detachment, was in the neighbourhood. Akbar Khan had been despatched to contest the passage of the Khybur with Timour Shah; and the Amír himself, had determined, with his guns, and his principal supporters, to take up his position on the road betweeu Ghuzní and Kabul and fling himself upon the advancing columns of the enemy, if they ever penetrated so far into his country.

The fall of Ghuzní—a fortress hitherto deemed impregnable—astounded Dost Mahommed and his sons, and struck dismay into their souls. Afzul Khan, who was prepared to fall upon our troops had they been repulsed before Ghuzní, found, to his wonderment, that the British colors had been planted on the summit of the citadel; and whatever may be the amount of that "sound judgment and laudable quality of heroism," of which Mohan Lal says he is so abundantly possessed, he cut no very distinguished figure, upon the present occasion; but sought safety in flight. Abandoning his elephants and the whole of his camp equipage, which fell as booty into the hands of Shah Súja, the Prince fled towards Kabul. His father greatly incensed, sent to order his immediate halt; and "peremptorily refused to received him." * Dost Mahommed appears never to have forgiven this failure at a critical time.

In little more than four and twenty hours after the fall of Ghuzní, intelligence of the event reached the camp of the Amír He at once assembled his chiefs, spoke of the defection of some of his people, expressed his apprehension that others were about to desert him, and declared his conviction that, without the aid of treachery, Ghuzní could not have fallen before the Feringhís. He then called upon all present, who wavered in their loyalty, at once to withdraw from his presence, that he might know the extent of his resources and not rely upon

* Outram.

the specious friendship of men who would forsake him at a critical moment. All protested their fidelity. A council was held and the result was, that the Nawab Jubbar Khan was despatched to the British camp,* to treat with Shah Súja and his allies. The Nawab mounted his horse and rode with unaccustomed rapidity to Ghuzní. There he was well received both by the Shah and the British Mission. But his exertions were utterly fruitless. He tendered on the part of the Amír submission to the Suddozye prince; but claimed, on part of the brother of Futteh Khan, the hereditary office of Wuzír, which had been held so long and so ably by the Barukzyes. The claim was at once rejected and the mockery of an "honorable asylum" in the British Dominions, offered in its stead. Jubbar Khan spoke out plainly and bluntly, like an honest man. His brother had no ambition to surrender his freedom and become a pensioner on the bounty of the British Government. Had his cause been far more hopeless than it was, Dost Mahommed would have rather flung himself upon the British bayonets than upon the protection of the Feringhís. Jubbar Khan then frankly stating his own determination to follow the fortunes of his brother, requested and received his dismissal.

The Nawab returned to the Amír's camp. All hope of negociation was now at an end, and Dost Mahommed, with resolution worthy of a better fate, marched out to dispute the progress of the invaders. At the head of an army, in which the seeds of dissolution had already been sown, he moved down upon Urghundí. There he drew up his troops and parked his guns; but it was not on this ground that he had determined to give the Feringhí battle. The last stand was to have been made at Maidan, on the Kabul river—a spot, the natural advantages of which would have been greatly in his favor. But the battle was never fought. At Urghundí it became too manifest that there was treachery in his camp. The venal Kuzzilbashes were fast deserting his standard. There was scarcely a true man left in his ranks. Hadjí Khan Khakur, on whom he had placed great reliance had gone over to the enemy, and others were fast following his example. This was the crisis of his fate. He looked around him and saw only perfidy on the right hand and on the left. He felt equal to the occasion, but thus deserted, what could he do? Never had the nobility of his nature shone forth more truly and more lus-

* Whether this step was taken by Dost Mahommed, on his own account, or whether it was recommended or agreed to by his principal partisans, does not very clearly appear.

trously. In the hour of adversity, when all were false he was true to his own manhood. Into the midst of his own perfidious troops he rode, with the Koran in his hand; and there called upon his followers, in the names of God and the Prophet, not to forget that they were true Mahommedans—not to disgrace their names and to dishonor their religion, by rushing into the arms of one who had filled the country with infidels and blasphemers. He besought them to make one stand, like brave men and true believers; to rally round the standard of the commander of the faithful; to beat back the invading Feringhís or die in the glorious attempt. He then reminded them of his own claims on their fidelity.—"You have eaten my salt," he said, "these thirteen years. If, as is too plain, you are resolved to seek a new master, grant me but one favor in requital for that long period of maintenance and kindness—enable me to die with honour. Stand by the brother of Futteh Khan, whilst he executes one last charge against the cavalry of these Feringhí dogs; in that onset he will fall; then go and make your own terms with Shah Súja."* The noble spirit-stirring appeal was vainly uttered, few responded to it. There was scarcely a true heart left. With despairing eyes he looked around upon his recreant followers. He saw that there was no hope of winning them back to their old allegiance; he felt that he was surrounded by traitors and cowards, who were willing to abandon him to his fate. It was idle to struggle against his destiny; the first bitter pang was over, he reassumed his serenity of demeanour, and addressing himself to the Kuzzilbashes, formally gave them their discharge. He then dismissed all who were inclined to purchase safety by tendering allegiance to the Shah; and with a small handful of followers, leaving his guns still in position, turned his horse's head towards the regions of the Hindú Kúsh.†

It was on evening of the 2d of August, that he commenced

* Havelock.

† The guns were found in position, when the British troops reached Urghundí. "Onward," says Captain Havelock, "moved the force and an hour had not elapsed since the day broke when it came full upon the abandoned ordinance of the fallen Barukzye. Twenty-two pieces of various calibre, but generally good guns, on field carriages, superior to those generally seen in the armies of Asiatic princes, were parked in a circle in the Amír's late position. Two more were placed in battery, in the village of Urghundí, at the foot of the Hills ..... The route, by which we had advanced, was flanked by a deep impracticable ravine, on which the Affghan left would have rested; there their artillery had been parked, and would probably from this point have swept the open plain, and searched the narrow defile by which we would have debouched upon. Their front was open for the exertions of a bold and active cavalry, and here the Amír might at least have died with honour." But all this is mere speculation. It now appears that the Amír had no intention of making a stand at Urghundí.

his flight. A party from the British camp, commanded by Captain Outram and officered by a little band of dashing soldiers and bold riders, was soon in rapid pursuit. Hadjí Khan Khakur, the apostate chief rode with them. He had undertaken to betray his master. The rest is well known. The treachery, which we had purchased, for so many pieces of gold, was retributively turned against us. We reaped, as we had sown; and Dost Mahommed escaped. Dost Mahommed crossed the Hindú-Kúsh; and for a while forture seemed to favor him. The Wullí of Kúlúm, who, a little time before, had been at war with the Amír, now forgot all old animosities, and received the fugitive monarch with friendship and hospitality. To counteract this movement in the Usbeg country, a detachment of British troops was despatched to Bameean. The operations of this little force had the effect ere long of driving the Amír out of the friendly country, in which he had taken up his abode, and reducing him to the condition of a fugitive, more hopeless and forlorn than before he had thrown himself upon the protection of the Wullí. In the valley of Syghan, there is a fort called Sar-i-sung. It was held by one Mahommed Ali Beg, a chief who had given in his adhesion to Shah Súja. It was essential to the safety of the Bameean detachment that this fort should be held by a friend. Assisted by the Wullí of Kúlúm, one Khilich Beg laid siege to the fort. It had been arranged then, in the event of the capture of the place, which had been calculated upon with some confidence, that one of Dost Mahommed's followers, who was in the camp of the beseigers, should be appointed Governor of the place in the name of the Amír. This could not be permitted. A detachment was sent out from the British camp to raise the siege; Golaum Beg (the Wullí's son) and Khilich Beg fled; and the Usbeg force was completely broken up. The effects of this movement were most advantageous to British interests. Not only did it open the communications of the British force with Túrkistan, but had a perceptible and immediate effect upon the fortunes of Dost Mahommed. "Dost Mahommed's star," writes an intelligent officer of the Bameean detachment, "which had for a time 'shone forth was again dimmed by a cloud. His fortune 'waned, and the natural consequence, was, that of those, who 'followed the unfortunate monarch into exile, many now 'deserted him in his utmost need; his funds failed fast and 'the ex-amír was forced to grant a discharge to those of his 'followers who demanded it. During the month of Novem-'ber, many of these with their wives and families passed

'through Bameean on their way to Kabul.... They were 'reduced to the most lamentable plight. The Amír had no 'money and could not support so many dependants; they were 'therefore obliged to resort to the sale of horses and other 'property, to procure the means of subsistence for themselves 'and families. They remained with him for some time, hoping 'that fortune would wear a more favorable aspect; but 'Golaum Beg's unsuccessful expedition to Syghan dissipated 'any bright visions, which might have been conjured up; and 'Dost Mahommed himself, now helpless and dispirited, gave 'to many, a written discharge under his own seal, and bade 'them seek their livelihood elsewhere."*

What followed we shall do well to narrate in the words of the same able and accurate writer:—"I have said that the hopes 'of a brighter fortune, which this unhappy prince at one time 'cherished, were rudely frustrated by the intelligence of 'Golaum Beg's disaster; and the beneficial workings of Dr. 'Lord's vigorous policy were fully developed. It is true, that 'the evil was merely averted; but as he could not possibly 'have foreseen the events, which afterwards rendered all the 'advantage, previously gained, nugatory, the praise due to 'him for having succeeded in driving the Amír from the 'southern banks of the Oxus, should not be withheld. Des-'pair was largely infused among the followers of the fugitive 'monarch, and he himself, too, on whom care had laid its 'heavy hand, no doubt shared in this feeling, and suffered 'some anxiety to steal upon him, when he heard of the sudden 'blow struck by the Feringhís, and knew not what more might 'follow. He no longer felt himself secure, and almost imme-'diately prepared for flight towards Persia, where he felt sure 'of a favourable reception, his mother being a native of that 'country; but day by day he delayed his departure, perhaps 'with a lingering hope, that something advantageous might 'yet occur to prevent the necessity of so long a journey,— 'perhaps, through financial difficulties; but at length he set 'out, accompanied by his sons and his brother, the Nawab 'Jubbar Khan; his journey, poor man, did not end in the way 'which he had anticipated. I never heard the exact route by 'which he was proceeding, but he must have passed within a 'short distance of Balkh; for the Governor of that place, 'which is subject to the rule of Bokhara, sent him a message,

* From a series of papers entitled "the British on the Hindú-Kúsh," published originally in the *Bengal Hurkaru*, and now quoted from Stocqueler's "Memorials of Affghanistan."

'requesting him to give him a meeting, as he had some pro-
'posals to make to him on the part of the Amír-úl-Múmu-
'mín.

'Dost Mahommed sent his brother the Nawab to him, to
'hear what these proposals might be; but the Governor of
'Balkh laid hold upon the envoy, and declared that he would
'not free him until the Amír in person came. Accordingly
'the ex-chief went to procure the liberation of his brother,
'and when he arrived at that once famous, but now insignifi-
'cant city, he found himself little less than a prisoner, Jubbar
'Khan was released, but the dethroned monarch was informed,
'that the king of Bokhara desired his presence. Perfectly
'helpless, he could not but accede, and, perhaps at the time
'he entertained hopes of a friendly reception. The Nawab
'returned to Kúlúm with his own and the Dost's family
'while the other, accompanied by the young Khans, Akbar
'and Afzul, rapaired to Bokhara. There, instead of meeting
'with the reception, which first reports led us to believe awaited
'him, the whole party were thrown into dungeons, and thus
'did Dost Mahommed, in fleeing from the British, who would
'have proved then, as now, kind hosts rather than enemies,
'become dependent on the caprices of a tyrant."

For a while the Amír and his sons were condemned to taste, in all its bitterness, the misery of close confinement in the city of Bokhara. We know how the Amír of this place is wont to treat his Christian prisoners. His Mahommedan captives, whom he at first pretended to receive as guests, were dealt with somewhat more leniently—but the natural ferocity of the man was not to be kept down; and Dost Mahommed nearly became the victim of a treacherous murder. Baffled in this attempt on the life of his prisoners and not daring openly to slay them, he kept them for a time under strict surveillance, forbidding them even to repair to *mosque*. This inhospitable treatment seems to have called forth a remonstrance from the Shah of Persia, in consequence of which greater liberty was allowed to the unfortunate princes—a relaxation of which they availed themselves to make their escape. Many romantic incidents are reported in connexion with this flight from Bokhara. The horse on which the Dost fled, being incapable of proceeding further, its rider transferred himself to a caravan; which he chanced to overtake; and escaped detection only by dyeing his beard with ink. The Wallí of Kúlúm was delighted to welcome him again.

It was not long before the Amír again found himself at the head of a considerable force. His family, with the exception of the two sons, who had shared his captivity in Bokhara, were

in the hands of the Bristish. He knew the danger of his determined course; and, when reminded that his wives and children were in our power, sorrowfully replied, "I have no family; I have buried my wives and children." As the Usbek fighting men flocked to the standards of Dost Mahommed and the Wallí of Kúlúm, the hopes of the former seemed to rise; and his determination to strike a vigorous blow for the recovery of his lost empire, gathered strength and consistency. To have cut upon the Bameean detachment, and, emerging from the Hindú Kúsh, to have appeared on the plains below flushed with victory, raising the old war-cry in the name of the Prophet, and profiting by the notorious unpopularity of Shah Súja in that part of the country, would have been a mighty achievement—one which would have rendered easy his triumphant progress to the very walls of the capital. He determined to make the effort; and in the month of September advanced upon Bameean, with a force of six or eight thousand men. To strengthen the British position, a reinforcement, consisting of some details of irregular horse and a native infantry regiment, under Colonel Dennie, an officer of approved gallantry and skill, who had led the storming party at Ghuzní, was by this time on its way from Kabul. On the 30th August, a party of Usbegs, headed by Afzul Khan, the eldest son of the Amír, advanced upon Bafgah, one of the British out-posts; but was repulsed by the gallant little Gúrkah regiment, and a party of Afghan horse. It was necessary however, to withdraw the British detachment from this isolated host, and to fall back upon Syghan. On their way, one of the Shah's infantry regiments, deserted its colors and went over in a body to the enemy. This disaster filled the Amír with renewed confidence and he pushed on to attack the British position at Bameean, expecting to carry everything before him. On the 18th of September he came up with a portion of our force, under Brigadier Dennie, which was advancing to Syghan to meet him. The Brigadier had only two guns, and not more than a third of his force; but with such terrible effect did these two guns* play upon the advancing columns of the enemy and such was the steady gallantry of all arms, that the Affghan force lost heart and fled before the handful of Hindustaní soldiers. The Dost, the Wullí and Afzul Khan escaped, leaving their camp equipage, their kettle-drums, their ammunition and their only gun upon the field. They "owed their safety to the fleetness of their horses."

* A howitzer and six pounder, from the 4th troop, 3rd Brigadier under Lieut. Murray Mackenzie.

"I am like a woden spoon," said Dost Mahommed, "you may throw me hither and thither; but I shall not be hurt." —Having been defeated on the Hindú Kúsh he now re-appeared in the Kohistan. Disaffection was rife throughout that part of the country. The authority of Shah Súja had been but imperfectly established. More than one fortress was in the hands of a recusant chief; and it was apprehended that the presence of Dost Mahommed would set the whole country in a blaze. Accordingly, at the latter end of September, a force under Sir Robert Sale was sent into the Kohistan. Sir Alexander Burnes accompanied it. It moved in the first instance on Túntandurrah. The fire of our guns soon caused its evacuation and the place was speedily taken. Sale then advanced upon Súlgah; the attempt to carry the fort by assault was not successful; but the enemy, dreading a renewal of the attempt, effected their escape; and the bastions of the fort were destroyed. During almost the entire month of October, Dost Mahommed was flitting about from one place to another, to the extreme annoyance of our political officers, and the discomfort of our troops. Various were the reports, which reached the British camp, of the nature of his movements and the number of his adherents. Many of these were of a most exaggerated character; and such, at one time, was the alarm which they seem to have created, and the gloomy forebodings which filled the minds of our political chiefs, that they predicted the necessity of concentrating all our troops in the Balla-Hissar, and actually began to think of preparations for a siege. Guns were mounted on the Balla Hissar, so as to over-awe the town which, it was expected, would soon be in a state of rebellion; the guards were everywhere increased; and Sir William Macnaghten talked about having "to submit to the disgrace of being shut up in Kabul for a time."* On the 11th of October it was known that the Dost was in the valley of Ghorebund. A detachment was sent to intercept his progress; but he moved off towards Nijrow, where he assembled his troops, in number, it is said, about four thousand; and on the 27th broke ground and moved down towards the capital. On the 29th, intelligence of the ex-Amír's movements having reached the British camp, the force under General Sale was sent out to meet the enemy. It was a critical moment. Such was the exasperation produced by the apparent success of the ex-Amír, even upon the kindly nature of the envoy, that he talked about showing no mercy to

* See the correspondence of Sir W. Macnaghten, as quoted in the *Calcutta Review*, No. III.

the man, who was the "author of all the evils now distracting the country." Shah Súja was eager to "hang the dog;" and even Macnaghten could only say that he would defer the execution till he could hear from Lord Auckland on the subject. This was only the "furor brevis"—the temporary insanity of one, who would never so have applied the branding iron to the reputation of the country, which it was his first duty to uphold. The generous sympathy, which even at this time, was felt throughout the British camp, towards the unfortunate Amír, is a national characteristic which it is pleasing to dwell upon—the spectacle of a brave man fighting for his liberty, fighting for the country, from which he had been expelled by an invading army, was one which no true English soldier can have contemplated without feelings of admiration and pity.

On the 2d of November—a day which has obtained a melancholy celebrity in the annals of the English in Affghanistan—the British force came in sight of the enemy. The army of the Ex-Amír was posted at Purwun-darrah; and the Nijrow hills were bristling with the armed population of a hostile country, Dost Mahommed had no intention, on that day, of giving battle to the Feringhís. He was unprepared for the conflict, and would fain have avoided it—but an unforeseen occurrence precipitated the collision. On the first appearance of the British troops, the Dost evacuated the village of Purwun-darrah and the neighbouring forts; and was moving off to a position on some high ground, commanded to the rearward by a lofty mountain, when at the suggestion of Dr. Lord, the British Cavalry were sent forward to outflank the Affghan. The scene which followed is perhaps one of the most exciting, as it is the most melancholy, in the whole Affghan drama. It was a clear bright morning. The yellow foliage of autumn glittered like gold in the broad sunlight. The opposite hills were alive with the enemy; the crisp, fresh air, so bracing and invigorating to the human frame, seemed to breath confidence and courage. Dost Mahommed, who, since his defeat at Bameean, had often been heard of, never seen, by the British troops, and who had seemed to elude the grasp of the army of occupation, like an *ignis fatuus*, was now actually within their reach. It ought to have been an hour of triumph. The Affghans were on the hills skirting one side of the pass; the British troops were on the opposite declivity. Dost Mahommed saw our cavalry advancing; and from that moment, all thought of retreat seems to have been cast away far from him. At the head of a small band of horsemen—strong, sturdy

Affghans, but badly mounted, he prepared to meet his assailants. Beside him rode the bearer of the blue standard, which marked his place in the battle. He pointed to it; reined in his horse; then snatching the white lúnghí, from his head, stood up in his stirrups uncovered before his followers, and called upon them, in the name of God and the Prophet, to drive the cursed Kaffirs out of the country. "Follow me," he cried aloud, "or I am a lost man." The Affghan horsemen advanced—the rest is painful to relate. The English officers, who led our cavalry to the attaek, covered themselves with glory. The native troopers fled like sheep. Emboldened by the craven conduct of the British cavalry, the Affghan horsemen rode forward, driving their enemy before them and charging right up to the position of the British, until almost within reach of our guns. The Affghan sabres told, with cruel effect, upon our mounted men; Lieutenants Broadfoot and Crispin were cut to pieces; Dr. Lord was killed by a shot from a neighbouring fort, which tore out his bowels; Captains Fraser and Ponsonby, whose gallantry has never been surpassed even in the annals of old Roman heroism, still live to show their honorable scars, and to tell the story of that melancholy day.

In front of our columns, the Affghans, flaunting the national standard, stood for some time masters of the field, and then quietly withdrew from the scene of battle. Sir Alexander Burnes, awed by this disaster, wrote to Sir William Macnaghten to say, that there was nothing left for the force but to fall back upon Kabul, and implored the envoy there, to concentrate all our troops. Sir William received the letter on the 3d of November, as he was taking his evening ride in the outskirts of the city. His worst forebodings were confirmed, he little knew what thoughts were stirring in the breast of the Ex-Amír. Dost Mahommed, in the very hour of victory, felt that it was hopeless to contend against the power of the British Government. He had too much sagacity not to know that his success at Purwun-darrah must eventually tend, by moving the British to redouble their exertions, rather to hasten, than to retard the inevitable day of his final destruction. He quitted the field in no mood of exultation; with no bright visions of the future before him. True, he had won the last throw, but the issue had ceased to be a matter of speculation. The hour in which, with dignity and grace, he might throw himself upon the protection of his enemies, now seemed to have arrived. He had met the British troops in the field, and at the head of a little band of horsemen, had driven back the Cavalry

of the Feringhís—his last charge had been a noble one, he might now retire from the contest without a blot upon his name.

So thought the Ex-Amír; as was his wont, taking counsel of his saddle. None knew in the British Camp, the direction he had taken—none guessed the character of his thoughts. On the day after the victory of Purwun-darrah he was under the walls of Kabul. He had been four and twenty hours in the saddle; but betrayed little symptoms of fatigue. A single horse-man* attended him. As they approached the residence of the British envoy, they saw an English gentleman returning from his evening ride. The attendant galloped forward to satisfy himself of the identity of the rider, and being assured that the envoy was before him, said that the Amír was at hand. "What Amír?" asked Macnaghten. "Dost Mahommed Khan," was the answer; and presently the Amír himself stood before him. Throwing himself from his horse, Dost Mahommed saluted the envoy, and said he was come to claim his protection. He surrendered his sword to the British chief; but Macnaghten returning it to him, desired the Amír to remount. They then rode together into the mission compound—Dost Mahommed asking many eager questions about his family as they went. A tent having been pitched for his accommodation, he wrote letters to his sons, exhorting them to follow his example and seek the protection of the British Government.

The rest is soon told—a prisoner, but an honored one in the British camp, Dost Mahommed remained some ten days at Kabul, during which time all the leading officers of the garrison paid him the most marked attention. Men, who kept aloof from Shah-Súja, as one to be religiously avoided, were eager to present themselves before the unfortunate Amír and to show that they respected him in his fallen fortunes. He received his visitors with courtesy, and conversed with them with freedom. Seated on the ground he desired them to be seated; and seemed to take pleasure in the society of the brave men, who did him honor. Captain Nicolson—an officer, of distinguished gallantry and great intelligence, whose early death on the banks of the Sutlej his country has to deplore—who had been selected by Sir W. Macnaghten to fill the difficult and delicate office of custodian to the Ex-Amír, acted, on these occasions, as interpreter. It may be doubted, whether a single officer quitted his presence without drawing

* Said to have been Súltan Mahommed Khan.

a comparison between the Amír and the Shah, very much to the disadvantage of the latter.

On the 12th of November 1840, Dost Mahommed, under a strong escort, commenced his progress towards the provinces of India. He appears to have recovered his spirits, during the journey and to have won golden opinions from all the officers who accompanied him.* The progress was a long and tedious one. His final destination was uncertain; but he was permitted, in the first instance, to proceed to Calcutta, where the Governor-General was then residing. A house was taken for him in the suburbs; and his annual pension fixed at two lakhs of rupees. At the Presidency he remained for some time. Lord Auckland treated him with marked kindness and attention; invited him to Government House; escorted him to such of the public institutions as were calculated to interest the Amír; showed him all the "lions" of Calcutta and the suburbs; and took him to his country house at Barrackpore. The ex-chief seemed to have no desire to shun the public gaze. He was constantly to be met in an English barouche on the course, or public drive; and might sometimes, at sun set, be seen to descend from his carriage and perform, *coram populo*, his evening devotions. The climate of Calcutta did not suit his constitution. He resided amongst us, during the most unfavorable season of a not very favorable year; his health suffered, and for a while he was stretched on the bed of sickness—a trial which severely taxed his philosophy. "He condemned," says one, who had several opportunities of conversing with him at this time,† "without measure the city of Palaces—but hardly knew how to say enough of the kind politeness and good will, which had been evinced towards him by the *sahibs;* not alone the *sahibs*, but their *mehems*—in all of whose manners and expressions, he observed kindness and friendship."

In the autumn of 1841, Dost Mahommed, attended by Captain Nicolson, turned his back upon Calcutta. A residence had been provided for him at Lúdianah, where the exiled

* During the halt at Jellalabad, the Dost having expressed a wish to see the Feringhís in their social hours, was invited to the Mess of the European Regiment. After dinner, he was conducted by Capt. Nicolson into the Mess Room, all the officers rising as he entered. He appeared to enjoy the music of the band and the convivial songs, which enlivened the evening—smoked a cheroot and conversed freely with all who addressed him.

* Mr. Charles Grant, an intelligent young artist, of whose works we have already spoken in this journal. Mr. Grant has published, among other clever sketches of "Oriental Heads" a *livraison* containing portraits of the Ex-Amír, Harder Khan, Ukrun Khan, &c., accompanied by some interesting and amusing letter press. The portrait, in the Calcutta edition, is not, in respect of fidelity and spirit behind any of the numerous likenesses of the Amírs, which have appeared in the volumes of Vigne, Burnes, Mohan Lal, &c. &c.

Shah Súja, pompous in his poverty, had dwelt before him. But, as he was proceeding towards the frontier, intelligence of the disastrous out-break at Kabul—to Dost Mahommed it must have seemed the day of retribution—reached the Upper Provinces of India, and soon made its way to the Presidency. These tidings suggested at once the propriety of a change of route; and Dost Mahommed was escorted to Missúrie. The surveillance exercised over him, now as a matter of precaution, became more strict—stricter than the real circumstances, though not, than the seeming exigencies, of the case demanded. We believe him to have been guiltless not only of all participation in, or connivance at, the great popular movement for the expulsion of the British from Affghanistan, but wholly ignorant of the storm that was rising. Still, it was necessary that, at such a time, the ex-chief should be closely watched. His escape would have so strengthened the cause of our enemies, that to us it would have been a great national disaster. Of the vigilance that was exercised there was little to complain. But the threats—if ever they were more than threats—to send Dost Mahommed and his family to England, as an act of imbecile retaliation, were cruel and unmanly.

The army of Retribution, under General Pollock, marched upon Kabul, broke up the forces of Akbar Khan, planted the British colors upon the Balla Hissar, and returned to the provinces of India. Then the Governor-General, Lord Ellenborough, issued that notable proclamation of the 1st of October in which he spoke of Dost Mahommed, as a chief "believed to be hostile;" and soon afterwards published the following act of grace, restoring the exiled Amír to his country:—

Secret Department, Simla, 25th October.—"The advance of the British armies to Ghuzní and Kabul, having led to the restoration to freedom of the British prisoners in the hands of the Affghans, Dost Mahommed Khan, his wives and family, and the wife and family of Mahommed Akbar Khan and many Affghan chiefs, remain in the absolute power of the British Government, without having any means of procuring their liberation.

To this condition of disgrace and danger has Mahommed Akbar Khan reduced his father, and his wife, and his family, and the chiefs, his countrymen, by making war upon women, and preferring the continuance of their captivity and suffering for objects connected only with his own safety, to the general exchange of prisoners, which was offered by the British Government, and the consequent restoration to liberty of those, whose honor and whose happiness should have been most dear to him.

But the British Government is desirous of terminating, at the earliest period, all the evils which have arisen out of the Affghan war: and the Governor General, enabled by the recovery of the British prisoners who were in the hands of the enemy, to follow the course most in accordance with clemency and humanity, declares that, when the British army, returning from Affghanistan, shall have passed the Indus, all the Affghans, now in the

power of the British Government, shall be permitted to return to their country

The Affghan chiefs who are thus released, will before they pass the Sutlej, present themselves at the durbar* of the Governor General in his camp at Ferozepore.

The wives of Dost Mahommed Khan and Mahommed Akbar Khan, and all the ladies of the family and household shall be conducted with all respect to the frontiers of Affghanistan."

Becoming as was this resolution of the British Government to liberate the Captive Amír, there was one passage in the above edict, which raised a cry of indignation throughout India, To have dragged Dost Mahommed and his sons to the foot-stool of the Governor-General—to have paraded them at Ferozpore to grace the triumph of the British over his own countrymen, would have been an unmanly and a cruel act—a crowning injury, which would have disgraced the British name and filled with hatred and contempt the breasts of the Affghan princes. It matters not what induced the Governor-General to abandon so unworthy a design. It was abandoned. Dost Mahommed was permitted to depart in peace. An escort was allowed him; he set forth and turned his back upon the British frontier. At the Court of Shere Singh, in his passage though the Punjab, he was received with kindness and respect. He entered his old dominions. The ravages of the destroying army, which had just quitted Affghanistan, were everywhere too visible as he advanced; but, melancholy as were the sights that greeted him, he at least breathed the air of freedom, and in this there was abundant solace. Of his reception we have no authentic accounts. It appears probable that at the period of his return, the minds of his countrymen were so engrossed with matters peculiarly affecting themselves, either as tribes or individuals—the natural consequences of the devastation, which had been committed, along the route of the avenging army,—that there was little room in their breasts for any feelings of nationality. He made his way quietly to Kabul, and, if in the midst of no great popular enthusiasm, certainly without any thing approaching opposition, took up his abode once more in the Balla Hissar, and received the homage of the people. Since that time, his mind has been occupied with the ceaseless intrigues inseparable from an Affghan court—intrigues, which it would be unprofitable to narrate in detail, even if authentic materials could be collected. He appears to be weary of the bustle of war, and would, if his turbulent son Mahommed Akbar Khan could be induced to forego the wild delights of

* This was subsequently dispensed with.

ever-recurring excitements, fain repose quietly under the laurels which he earned for himself in early life.

It is said, that he is especially desirous to cement an alliance with the "Sirkar Company," and that he is constantly exerting himself to counteract the Anti-British tendencies of his son, Akbar Khan.

We have now brought the history of Dost Mahommed's life down to the present time. It has been our object to confine ourselves as closely as possible to pure narrative—condensing within a narrow space the record of the many events of a most eventful career. It is scarcely necessary that we should conclude this notice with a written character of the Amír, as his conduct best reveals what he is. Indeed, it has been said of Dost Mahommed that he has no character at all; and, inasmuch as it is made up of inconsistencies, there is some truth in the assertion. The fact is that there is observable throughout his career traces of two separate characters—the natural character of the man, and the character shaped by circumstances. There is scarcely anything which may be said of Dost Mahommed, not to be substantiated by a reference to some incident in his career. He was just and unjust; merciful and cruel; cautious and rash; frank and treacherous. His virtues were his own. There was nothing in the accidents of his position to foster their growth; whilst every outward circumstance tended to favor the expansion of opposition qualities. He is to be pitied rather than condemned As a man, he could not have escaped the temptations which beset his path. Often compelled to sin in self-defence—often compelled to heap crime upon crime, or perish in his inactivity—his life was one of almost perpetual warfare—of constant excitation of the passions. It is just, that we should bring to the estimate of his character a clear perception of all these pernicious accidents of position, for he appears never to have sinned in wantoness, but to have loved evil less than good; and, judging by what he was when removed from the destructive influences of unholy strife, it is probable that under a serener sky, and on a less barren soil, his virtues might have elevated him to a high rank among rulers and among men. Compared with his cotemporaries, he towers above them all, in the former, if not in the latter capacity; no Affghan prince in the present century has shown himself so fit to govern. In many respects, his conduct, at the most favorable epoch of his career, was a model for rulers in all parts of the world; and at the most unfavorable epoch, when the clouds of adversity gathered most thickly over his head, his heroism was of so romantic a character, that history, in these

prosaic times, can scarcely supply a parallel to it. History, indeed, has never more closely simulated romance, than when recording the remarkable career of this remarkable man.

*** There is so much *vraisemblance* in the following passages from General Harlan's book, descriptive of the personal habits of Dost Mahommed, that we are induced to publish them in the form of an appendix to this article:—

"The Amír was not attended by a guard of regular troops, but his personal servants, many of whom were confidential household slaves, came armed into his presence. Every day, except Thursday morning, he sat in public, to transact business. Thursday morning was devoted to the bath until ten o'clock; after this hour those only visited him who were called. He usually employed the time before noon in auditing his domestic affairs in company with his Mirzas or writers. * * * *

Friday was appropriated to the promiscuous access of the populace. On this day, the gateway of his durbar was thrown wide open, and the door-keepers withdrawn. Every one who had a cause to urge, or curiosity to gratify, might come into the presence without impediment. The Amír heard all complaints in person, attended by the Langí. Civil causes were referred to this functionary for judgment, and the sentence was enforced by the Amír. Criminal causes which were not likely to yield a fine, were also referred to the Langí, to shift from his own shoulders the odium of an onerous act. * * * * * * *

The remainder of the week was employed in the transaction of miscellaneous business. The hours of business were confined to the forenoon. His highness, in common with all the Mahommedans, was an early riser, which custom is necessary to admit of the performance of the prescribed morning prayers. Of the five periods of prayer, commanded by the traditionary law, the first must be finished before sun-rise, otherwise the act becomes "quzzah," or "lapsed;" in this event the prayer is unacceptable to the deity, or of no avail; and the consequences attending neglect of religious duty should be deprecated by charitable donation, at least to the provision of a meal for the necessitous. Conscientious persons will perform this penitential hospitality, though the mass of the community are indifferent to the pious injunction. After the conclusion of this first religious duty, which commences the diurnal service and routine of life, he read a few pages in the Koran attended by his Iman. This functionary translated into Persian, or rather expounded in that colloquial dialect, the Arabic of the sacred volume, which the Mussalman holds to be the Word of God. In this employment he would be engaged an hour, more or less, as the task was longer or shorter. At the conclusion of this matin exercise, to which all the faithful, who have singular pretensions to piety, are addicted, the chiefs who composed the durbar made their entree promiscuously, and, with the simple ceremony of a bow, and the ordinary salutation "Usulam Allaikúm," touching the forehead as they leaned forward with the inner surface of the four fingers of the right hand, took their seats on the right or left of his highness. They were seated generally according to the rank of each guest. * * * * * *

The salutation of every one was returned by an audible response, it being amongst the religious injunctions of the faithful, to reply to proferred civility a reciprocal acknowledgment. They are probably just in the esti-

mation of politeness when they ascribe humility and condescension to the courteous. These are qualities which all profess to admire and endeavour to practise, notwithstanding the exclusive bigotry of pure Mahommedanism. My place in durbar was alongside of the Amír, on the left if the right should be pre-occupied, otherwise on the right. If his brother, the Nawab was there when I entered, he always gave place to me. The Nawabs Jubbar Khan and Mahommed Khan Populzye, whose daughter was married to the heir apparent, and myself, were the only officers who enjoyed the prescriptive right of seating ourselves on the same numed or felt, which his highness occupied. * * * * *

When recent spring fruit came into season the Amír frequently breakfasted at nine o'clock, on mulberries or apricots, in which instance he usually abstained from the more solid repast at meridian. * * * *

At twelve o'clock, the Prince and the élite retired and slept until two P. M.; at this hour they arose to perform the second prayer. After his ablutions and toilet the Amír egressed from his harem, and mounting his horse, which was in waiting at the gateway, he sallied out upon his evening ride. He had a fondness for fine horses, and generally visited his stud in the afternoon; but this occupation was more appropriate to the spring, when the brood mares and colts attracted his regard, and participated in his care. In the summer and fall, he luxuriated in the picturesque scenery about the city, from a favourite prospect point; seated himself, with a few select friends, on the bank of a running stream, of which there were several about the vicinity, end enjoyed a cup of tea; or visited some one of the magnificent, ornamental and useful gardens near the suburbs of Kabul, accompanied by a train of musicians. In the spring he viewed his stud, daily about three or four P. M. He sat on a terrace made for the purpose, two or three feet high, covered with felts. Here many of his chiefs joined him, who did not usnally attend in morning durbar. These were stipendiary lords, and múllahs or priests and familiar friends who enjoyed his confidence; they passed their time in smoking the cullioon,* desultory conversation, complimentary commendations of the Prince's nnique fancy for horses, and admiration of the promising brood of young colts, which were the delight of his highness and favourites of his taste. These companions passed the evening with his highness until he retired. He returned to his Derri Khaneh (place of durbar) at nightfall. Having previously performed the third prayer, he mounted his horse and moved into quarters. The evenings, when the weather permitted, were passed in a beautiful flower garden: we sat on a low terrace illuminated by a large lamp.

During the season of full bloom, the position was surrounded by an invisible and delightful fragrance of the ever wakeful floral nature; the intoxicating perfume of the rose, the spicy pink, breathing of sweetness, and the flood of grateful odour that bathed the senses from the enchanting "Shuhboo."† The genial air of midsummer, tempered by the everlasting Alps of permanent snow uear the valley, gratefully clothed our nocturnal hours in a voluptuous mantle of serene repose. The music was there too, fitful, frantic, or pathetic as the feast of reason and the flow of soul invoked its mysterious influence which,

> "Softly sweet in Persian measure,
> Gently soothed the soul to pleasure."

* Persian water pipe.

† "Or noeturnal odour;" the July or Jilly flower, that sheds its scent after nightfall, is so called by the Persians.

Kabul, the city of a thousand gardens, in those days was a paradise far removed from the agitating scenes of life, away from the world. * * *

His highness kept very late hours, particularly during the long nights of winter. I have repeatedly sat up with him until three A. M. Dinner was brought after "usser," or the fourth prayer, which shortly followed sunset. This meal similar to the breakfast was served sooner or later, generally before eight o'clock, as his appetite suggested, although sometimes deferred until ten o'clock. When this was the case, fresh fruit would be introduced about eight, and the intermediate time was passed by his highness, playing several games of chess with Kazi Budder-ú-Dín, or in conversation. When his highness was engaged at chess, the conversation ceased, and the interlocutors gathered nearest the performers, to observe the game, and applaud the sagacity he displayed. I never knew him lose a game. The Kazi was always beaten. At the conclusion of each game the science of certain moves was discussed, and a sufficient amount of flattery bestowed on the unrivalled play of his highness.

Notwithstanding, the wily Afghans would aside pass winks and gestures from one to another, and occasionally some one, more privileged than the rest, has been heard to taunt the Amír by hinting that the Kazi played bad intentionally, and lost to flatter him. He took his rallying always in good part, and it is certain that the Kazi was much too complaisant ever to gain a game even by chance. These nocturnal parties were conducted with perfect regard to etiquette and good manners. He was fond of listening to the relation of travels, and allusions to history; made frequent inquiries of merchants who were known to visit distant countries, concerning the manners and customs of the people they had seen, the character of the prince, the Government, religion, and particularly, geography and topography, for which sciences he seemed to have a strong inclination. He was well acquainted with the Russian military system, and the best account, detailed with accuracy and illustrative minuteness, I have heard of the destruction of the Janissaries by the last Súltan of Turkey, was recited to me by the Amír. He was much addicted to telling stories of his personal adventures; he delighted to talk of himself, was pleased with his own declamation, and vain of his eloquence. If merit is to elicit the reward of praise, he was justly entitled to admiration for the ready command of language and agreeable mode of displaying his talents in colloquial intercourse. Buffoonery never formed a part of his princely amusements, but refinement of moral or purity of design did not always characterize the tenor of his *improvisatore*. His anecdotes were not unfrequently gross and sensual. Unsophisticated by the arts of intellectuality, he thought that "nature unadorned was adorned the most." No event lost by relating any importance in reality, or was obscured by the nomenclature of modesty. He dealt a good deal in sarcasm, and was ever ready to trump his adversary's trick. Ridicule was a weapon that he flourished with considerable effect, and he good-humouredly made himself or his position the subject of ludicrous wit. The demands of his courtiers, or rather the feudal lords, who represented the communities and constituted the most powerful element of the Government, kept the Amír always greatly straitened for the resources of present means, and I have heard him make his poverty, which really arose from extreme circumspection in providing for the necessities of personal defence out of his civil list, the source of ridicule."

ART. II.—*The History of Ceylon, from the earliest period to the present time; with an appendix, containing an account of its present condition. By William Knighton, Esq. Colombo,* 1845.

WE have of late, on several occasions, endeavoured to direct the attention of our readers to the island of Ceylon—the celebrated *Lanka* of Hindu mythological legends—and the not less celebrated *Taprobane* of ancient Classic authors. Our labours, in this respect, appear to have been variously appreciated, not in India only, but also in Great Britain. In the seventh number of this work, we bestowed a short notice on Mr. Selkirk's "Recollections of Ceylon." That notice so arrested the attention, excited the admiration, and the covetous propensity of the conductors of a certain English Journal, that they actually transferred it, *verbatim et literatim*, from our pages to their own—as if it were an entirely original article—there being not the slightest acknowledgement of the source whence it was derived! However, for the sake of our new favourite "the cinnamon isle"—the "pearl drop of India"—the "emerald gem" of the oriental world—and the additional celebrity thus gained for it, we cheerfully and uncomplainingly submitted to this unseemly act of Literary larceny.

Hitherto, our observations on Ceylon have been of a general and discursive character, or they have been limited to certain isolated and specific subjects. But, remembering how very little, even persons of extensive information and superior intelligence, usually know of the history of the island, we felt as if our remarks wanted a certain substratum of knowledge in men's minds, on which steadily and connectedly to repose. Under a deep and growing consciousness of this want, we began to cast about for authentic materials from which to adduce and fabricate an intelligible historic sketch—calculated to exhibit, in a brief yet comprehensive form, the leading events which have characterized its transitionary states and settled epochs, from the earliest times to the present. When abroad on this foraging expedition, we unexpectedly stumbled on a work which seemed at once to provide for us, without further trouble or research, all that we required. It was the happily conceived and admirably executed work at the head of this article. But, without pausing, at this stage of our inquiries, to pronounce any eulogy on the author or his production, we shall forthwith proceed, chiefly by the seasonable aid of his judicious and successful labours, to present our readers with an epitomized sketch of the History of Ceylon.

The fables invented to account for the first settlement of a country, are generally of less use to history than those intended to elucidate subsequent events. Into the region of fable on the primeval occupation of Ceylon it is not our intention to enter, nor do our readers lose much by this resolution. Suffice it to say that the Chinese, the Burmese, and the natives of India are all claimants for the honor. Nor in such a sketch as we propose laying before our readers at present need we enter much into the wars of Rama and Rawana, stated by the Ramayana to have been waged in this favoured island. The research of two distingnished Ceylonese antiquarians, Mr. Turnour and Major Forbes, have fixed the site of these contests somewhere in the neighbourhood of Newera Ellia, the modern sanatarium, and we have little difficulty in saying to their believers 'it may be so.' To the religious community and religious works we more particularly look for its early history, and of these there is no lack. The founder of modern Buddhism, Gotamo or Gandma, impelled by the sanctity of the island, we are told, a sanctity celebrated even before his time, visited it to raise from their degradation the debased inhabitants. Of this indefatigable reformer many wonderful anecdotes are as usual related, as having occurred during his visits to the island, and of these not the least miraculous in the eye of the Buddhist, is the fact of his having known by intuition the places hallowed by the touch of former Buddhas—knowledge which his admiring disciples could neither dispute nor deny. Anxious to connect still further the history of their country with the life of their great saint, the Ceylonese historians inform us that on the very day of Buddha's death, the founder of the subsequent royal dynasty landed on the island. This founder, Wijaya by name, is stated to have been a prince driven by his father, the King of modern Bengal, from his home and country for his misdemeanors; with a considerable band of equally reckless characters with himself, we are told, he directed his course to sea, and attempted to land on a part of the coast of India, where he was violently opposed. He next directed his course to Ceylon and thus succeeded in making good a settlement (543 B. C.) By a fortunate alliance with the daughter of a chief he established himself more securely, and she, violating patriotism and paternal love for the advantage of her newly found spouse, aided him in a cowardly massacre whereby the chief rulers of the island were destroyed, and Wijaya left supreme. He was not long in taking every advantage of the superiority he had gained, and by sending his followers to found cities throughout the island, of which they were the chiefs,

dependant only on their leader, he fixed himself securely in the sovereignty, 540 years before the Christian era. His long reign of thirty-eight years was embittered, but by one misfortune—he was childless, and the fair kingdom he had gained was in all probability about to pass soon into the hands of another family. Perceiving this and anxious to prevent it, Wijaya sent to his father, whose favor his achievements had now won for him, requesting that Panduwasa, his younger brother, might be sent to succeed him. A voyage from Ceylon to Bengal was then somewhat like what the circumnavigation of the world would be now, and Panduwasa did not arrive till a year after the death of his distinguished brother. Fortunately for him a minister of Wijaya, possessed of the rare virtues of moderation and fidelity had preserved the Government for his master's successor, and instead of having to reconquer the kingdom, as under other circumstances he might have been obliged to do, he seated himself upon a peaceful throne. The Buddhist historians inform us that he married a cousin of their celebrated prophet Gotamo, and thus again they connect the history of the island with the founder of their faith. Unlike his brother, Panduwasa left behind him ten sons and three daughters and connected with one of the latter, Unmansit, a romantic tale is told which we shall lay before our readers. On Panduwasa's death it had been prophesied by certain Brahmans that the offspring of Unmansit would destroy his uncles and dethrone the reigning king Abhayo, also one of his uncles. This the superstitious princes believing, had their unoffending sister, who is represented as having been exceedingly beautiful, closely confined. But "love laughs at locksmiths" saith the proverb. A prince of the royal family caught a glimpse of the fair captive, whom he also wooed and won. The consequences of their intimacy could not be concealed, and to avoid open disgrace, Abhayo and his brothers were forced to consent to a marriage, on the condition, however, that should the offspring prove a son, he should be immediately destroyed. The offspring *did* prove a son, but with the aid of her faithful attendant, the same whose assistance facilitated the former intercourse, she saved his life by the substitution of a female infant, lately born, and introduced into the apartment clandestinely. Abhayo discovered the fraud, sought to destroy the boy, but in vain, as he had the favor and protection of the priests. Yet the consequences of his endeavors were by no means unimportant. Looked upon as the child of destiny, by the people, Pandukabhayo, the persecuted youth, soon found himself at the head of an army and after a long and wasting war succeeded in dethroning his unnatural uncle.

During his and his son's reign Ceylon appears to have been rapidly advancing in improvement and civilization—the capital city, Anuradhapúra, was embellished with works of art and architecture, the remains of which may still be seen, 2270 years after their erection; villages and towns were starting up in districts which the tide of population had probably never reached before; the country was divided into districts over each of which civil and judicial magistrates presided; tanks and canals were constructed to facilitate cultivation, and in fact the island was advancing with rapid strides to prosperity and eminence.

We shall now pass on to a remarkable fact in the history before us—that of the introduction of Buddhism in a systematic form. This happened in the reign of Tisso the first, about 300 years before our era. Tisso being about to enter into alliance with a king of India, noted for his enthusiastic love of Buddhism, sent him a present borne by the chief of his nobles, in return for which the religious Dhammasoko, sent, along with presents, advice to Tisso "to take refuge in Buddha, his religion and his priesthood." Not content with sending advice alone however, Dhammasoko, persuaded his son Mahindo, a high priest of the Buddhist faith, to accompany Tisso's ambassadors to Ceylon, and his reception by that monarch was such as to leave him little ground for regret at his determination. Mahindo entered upon his proselytizing career with zeal and success. Multitudes flocked to hear his discourses, numerous priests were ordained, colleges were established, temples reared, and Buddhism finally installed as the religion of Ceylon. The females were not to be outdone in the career of piety. They requested a priestess to raise some of them to the priestly office and in accordance with their request a sister of Mahindo was sent for and obtained, who should establish sisterhoods of nuns and thus put Buddhism on its proper footing in the island. These communities although essentially a part of the faith have been long suppressed in Ceylon, although we believe they are still to be seen in Burmah. With Sanghamittra came also a branch of that holy tree under which Gotamo had attained his Buddhaship, (the bo-tree or *ficus religiosa*,) which was planted in Anuradhapúra on the spot where, at the present day, the wandering tourist may observe the spreading branches of "the great bo-tree at the Maha wiharo," amidst whose branches safe in that sacred retreat, may be seen thousands of monkeys and other animals disporting. Tisso was not backward in exhibiting his faith in Buddhism by the erection of many splendid buildings devoted to its service—the remains of some

of them, especially those of the Thoparamaya dagobah, may even now excite our admiration. Ten years after the death of Tisso (B. C. 256) we, for the first time, hear of the Malabar race interfering in the Government of Ceylon, and the event is an important one, inasmuch as it was but the prelude to numerous instances of incursions and rapine committed by the same race. Suratisso, the reigning prince, took into his service, during a period of profound peace, a large body of mercenary cavalry commanded by two Malabar chieftains called Sena and Gutika. These generals so well ingratiated themselves into the favor of the whole army that on their raising the standard of insurrection, Suratisso found himself completely deserted, and ended his life and reign together. Sena and Gutika, now supreme, divided the island between themselves, and reigned with an iron rule for upwards of thirty years, when a counter revolution replaced the united sceptre in the hand of Asela a prince of the royal family. Asela, however, was not allowed to reign in peace. Elala, a Malabar leader, landed at the mouth of the Maha Vella Ganga with a large army, marched directly towards the capital, was met there by Asela, and gained a victory which gave him the crown of Ceylon. This he enjoyed for a lengthened period, and it was not till old age had weakened his intellect and unnerved his arm, that he found a claimant for the throne in every way worthy of him as an enemy. The royal family had fled to Rohona, and a descendant of Tisso's brother who held that, the south-eastern, district of the Island as his province, alone dared to oppose the usurper. Youth, lofty hopes, and a vigorous intellect were in favor of Gaimono; a settled Government, full treasury, and former renown were the supporters of Elala. But Gaimono was no ordinary opponent—his measures were full of boldness and vigour without rashness. Fort after fort fell beneath his arms, and in a decisive engagement with Elala, he killed the latter with his own hand, and then occupied his throne. A relation of Elala's who came to his assistance with an army of thirty thousand men was equally unsuccessful, and on defeating him Gaimono found no opponent able or willing to dispute his sovereignty. His piety now became as conspicuous as his military renown, and of his religious exertions sufficient remains still exist to satisfy us that the Ceylonese of that period were considerably advanced in architecture, sculpture and refined taste, whilst the size of some of these monuments, and the vastness of the tanks which he excavated may convince us that the city at that period must have been populous and magnificent.

The particular account which the native histories afford us

of the construction of one of these buildings is such that most students have doubted its correctness whilst those who have not examined the evidence have positively pronounced it an exaggeration As in all other instances where truth is concerned an extended investigation has in this case but confirmed those accounts. We are told that it was erected on sixteen hundred stone pillars, and of these the greater number are still standing, whilst fragments of the rest lie near their original situation. We are also informed that the interior was decorated in a way which leads us to believe that the fancy of the writers heightened the description, but this has also been confirmed by the narrative of the Chinese Buddhist Fa Hian, who in the fifth century visited Ceylon, and whose narrative has been translated and published in Paris. Him we can scarcely suspect of any motive for exaggeration, or if we did, we must still account for his description tallying with that of the *Mahawanso* and *Ratnakari.* Besides the temples and other religious erections attributed to Gaimono we read of hospitals for the sick established throughout the island, roads formed, and officers for the preservation of order appointed by his directions and exertions. The reign of Gaimono is one of the best evidences we possess of the state of the country at this early period, a subject on which we shall dilate somewhat hereafter.

We shall pass over a few succeeding reigns in which there occurred apparently no event of material consequence till we come to that of Walagambahu who ascended the throne about 100 years B. C. By an invasion of the Malabars, who were now fatally for Ceylon, too well acquainted with its riches, he was driven from his throne and obliged to conceal himself in a remote district of the island—for fourteen years this exile continued—chief after chief of the invaders having, during that period, been ruler and usually falling by the hand of their successors. These disturbances, we might imagine, would have afforded some opportunities to the dethroned monarch to expel the invaders, but this does not appear to have been the case, and for that long period the island was a prey to anarchy and confusion. On reascending his throne a scheme of the monarch's formed in exile was put into execution, and that was to have the discourses of Buddha, then but orally transmitted from one generation to another, committed to writing. For this purpose a meeting of the oldest and ablest priests was called. Different versions of the sermons of the prophet were collated and compared, and after a lengthened investigation the voluminous Pitakattaya and their commentaries the Atthakatha

were committed to writing. The first of these are divided into what are called the three Pitakas—the Winiya, Sutra and Abhidharma, each of which contains numerous sub-divisions. The Sutra consists entirely of discourses, the Abhidharma consists of doctrines and terms with explanations—and the Winiya of the laws of the priesthood. We cannot at present enter into their contents more particularly.

Two of the dagobahs whose remains at the present day most prominently attract the visitor's attention owe their erection to the piety of Walagambahu, and one of these (the Abhayagiri) was originally upwards of four hundred feet in height equal to the elevation of the topmost pinnacle of St. Peter's at Rome. The next remarkable feature which the History of Ceylon presents to us is the reign of a monster of wickedness in the person of a Queen Anula. She was the wife of Walagambahu's son, and put a period to the life of her husband in order to reign alone. One victim after another was raised to the dangerous seat vacated by his predecessor, and these appear to have been chosen on account of their personal appearance to gratify the appetites of the insatiable Anula. In this way five victims were dispatched in the course of as many years until the world at length becoming weary of her, she was dethroned and executed. Her successor had no easy task in bringing order and regularity out of the confusion worse confounded caused by the irregularities of Anula, and it was not till three or four peaceful reigns had passed, that the kingdom attained its former prosperity. "Happy is that people whose annals are tiresome!" was the exclamation of a philosophic and thinking mind, and if we were asked to point out the period of Ceylonese history when the country appears to have been most flourishing and contented, we should point out the first five centuries of our era. During that period order and peace for the most part prevailed. Tanks and roads were formed—Buddhism was in its glory—the royal family established and every thing promised a long career of prosperity.

Nor are we drawn to this conclusion merely from the fact of the fifth Chapter of the work before us being the dullest of the whole—we have positive evidence as to the flourishing state of the Kingdom at this period both in a material and intellectual point of view. The first is confirmed in a curious way both in the far East and the far West—by a Buddhist priest of China, and a Christian priest of Rome. The Buddhist Fa Hian formerly referred to, visited Anuradhapúra the capital in the fourth century and tells us that nothing could equal its magnificence and extent. Numerous magistrates, nobles and mer-

chants, he informs us dwelt in it. The houses were spacious and handsome, the public buildings magnificent and highly ornamented. The streets and roads were broad and straight, whilst at the corners, numerous lecture rooms were erected in which the doctrines of Buddha were daily expounded. The very fact of a distinguished Chinese Buddhist proceeding to Ceylon in search of the authentic writings of his prophet shews the importance of the Island at this period—so much for Eastern evidence. The Western is to be found in the writings of St. Ambrose. A Theban he informs us, visited Ceylon and the Malabar Coast of India in the fourth century. There he was detained by a Malabar prince subject to the king of Ceylon for six years, and he only regained his liberty on a rebellion of the tributary which was furnished by an army sent from the Island, who delivered him. In speaking of this event he describes the King of Ceylon as "*the great King* who lived in the Island of Taprobane."

From the writings of Cosmas Indicoplenstes it also appears that at this period a very extensive trade was being carried on between China and Ceylon on the one side, as well as between Ceylon and the Persian Gulph on the other. From these facts as well as from that of the buildings whose remains now exist having chiefly owed their origin to this period we conclude that for two centuries preceding and five centuries succeeding the Christian era the Island was populous, powerful and flourishing. Nor does literature appear to have been neglected; in as much as, to the period under review, Ceylon owes its best historical, scientific and poetical compositions—of which however, the first only can be appreciated by the English reader, none of the others having yet been translated.

Some romantic stories of the various kings who reigned from the fifth to the eighth century compose the chief part of the history of these periods—we shall neither stop to relate them nor to investigate their truth; suffice it to say that from the violent deaths, the numerous insurrections and invasions which followed we naturally conclude that the prosperity of previous periods was being gradually merged in the turbulence of the succeeding, and that a gradual decline in the arts of civilization and refinement was contemporarious with a more scientific mode of warfare, and more attention given to that science itself than to the arts of good Government or the wants of the people.

The period of the transference of the seat of Government from Anuradhapúra, the ancient capital, to Pollonaruwa appears to have been coeval with the decline of the former town.

This event happened about the latter end of the eighth century, and from that period we may date the neglect of the buildings and the gradual dilapidation of the former capital. In fact, shortly after, we have the fact stated of a person having been deputed by the king at Pollonaruwa to proceed to Anuradhapúra to repair and restore the buildings in the latter town. From this period too we may date the rapid decline of the Island in power, prosperity and population. Inroads from the Coast of India, and the roving Malays became more and more numerous—insurrections multiplied in the remote districts of the Island, and every thing was in a state of turbulence and disorder. In this condition it can be easily imagined that numerous bands of soldiers were scattered over the Island, and that in fact its inhabitants were assuming a military character. Such being the case nothing was wanting but a military leader of eminence to render it a conquering country, and this it found in the twelfth century in the person of one of its most enterprising and talented monarchs, who was certainly the greatest military leader Ceylon has produced. Of the birth and boyhood of this wonderful hero numerous miracles are recorded with the utmost circumstantiality, whilst a particular account is also handed down of his education and youth.

The Buddhist faith, logic, grammar, poetry, and music are all handed down to us as subjects in which he became extraordinarily proficient, whilst horsemanship, archery and the management of elephants were not neglected. When he had gone through the whole circle of the sciences, as then taught by the most learned priests, travelling was considered still necessary to fit him for the duties of his station. On returning to his native land he received the throne by the voluntary resignation of its possessor (Gajabahu)—a resignation which appears to have been made, however, in favor, not of Prakrama, but of his father, Wikrama. A dispute arose in consequence between the two claimants which ended in the accession of the son, and shortly after a reconciliation took place between him and his father which happened but just before the latter's death. On obtaining quiet possession of the throne Prakrama entered upon an enlightened career of improvement which proves him to have been no ordinary character. The establishment of roads, canals, and tanks, which are particularly mentioned in the native annals, and of the remains of which many are now visible, prove the utility of his exertions—libraries (chiefly of Buddhistic works) were collected for the colleges of the priesthood—the poorer classes were aided in reclaiming waste lands, and if native authorities are to be

credited, the whole Island was rendered prosperous and happy by his exertions.

This state of peaceful progress, however, was soon disturbed by the notes of warlike preparation. A tributary queen in the most hilly and remote district of the Island—Rohona, resisted the advancing reforms of Prakrama, and Subhala, the queen in question, having once taken the resolution to resist, prepared to oppose her superior with vigour and determination. The account of the warfare is handed down with sufficient minuteness to enable us to form some judgment of Ceylonese tactics. The fortified places, we are informed, were surrounded by her orders, with large and deep moats. The roads leading into the province were rendered impassible to elephants and cavalry, by being strewed with large trees and stakes fixed firmly in the ground. The uncovered sides of the hills were defended by briars and brambles, plentifully scattered over them. These preparations completed, Subhala posted her army, in the immediate vicinity of a fortress which commanded the only accessible road into her territories and there awaited the attack. Prakrama on his part was not idle—a force greatly superior in numbers to any which the Rohonians could bring into the field, was despatched under Rakha, one of his most experienced generals, whilst the king himself, remained to superintend the improvements progressing by his directions.

Rakha advanced with all the celerity circumstances would admit of, to meet his enemies. Harassed as his troops were by the obstacles in their way, they yet surmounted them all, with great bravery, notwithstanding the opposition of the Rohonians, and at length a general battle was offered and accepted. By a skilful disposition of his forces and a judicious choice of ground, Rakha was enabled completely to overpower the more impetuous, but less cautious mountaineers—a defeat and rout were the consequences. The Rohonians attempted to throw themselves into the fortress formerly mentioned, but Rakha was no sluggard in pursuit. Both parties entered together and the fortress was taken in the *melée*.

Scarcely was this great advantage gained when Rakha found his communication with his own capital intercepted, and his army actually besieged in the fort which he had taken. Strong reinforcements were sent to his aid by the king, and at length so overpowering a force assembled in Rohona, as to preclude the possibility of further resistance on the part of Subhala. Surrounded in her capital, and unable to resist, she accepted the terms offered, and by an absolute submission saved her life and tributary title.

An imposing ceremony was conducted at the capital by Prakrama in consequence of this victory, during which the native historians one and all inform us, that a miracle was exhibited—a special mark of Buddha's favor. This miracle consisted in the occurrence of a thunder storm and a copious fall of rain, at the very time when the gorgeous procession, with Prakrama at its head, was proceeding to the temple of thanksgiving, and yet, wonderful to relate, not a drop of this copious shower, touched a single thing engaged in the procession, although it fell plentifully around! The confidence with which this miracle is related and the reiteration of it, by the various native historians, is a curious fact in the history of the native character. The court at Pollonaruwa, however, speedily found that their thanksgiving was premature, the submission of Subhala was but a prelude to a vigorous preparation for war on her part, and scarcely were the rejoicings at an end, when the trump of war again sounded in rebellious Rohona. Of the campaign which ensued, we are not supplied with the particulars so minutely, as in the former case. All that we can gather from the history, before us, is, that it was obstinate and bloody—that the Rohonians lost two battles, both of which were obstinately contested and in the latter of which twelve thousand Rohonians were slain or taken. The siege and capture of Subhala's capital was the last act of the tragedy, and there is reason to believe that her temerity, when led as a captive before her conqueror, caused her death.

The peace of the district was subsequently ensured by the vigorous measures of Prakrama, and these were generally so successful, that profound tranquillity reigned throughout the Island. It was not till after the year 1169 of our era, the sixteenth of his reign, that the monarch found it necessary, again to assemble his forces and march against an enemy. Now however they were to be turned against a foreign foe; not to be engaged in civil commotions. The king of Cambodia, and some other provinces, in the Burman empire, had roused the just resentment of Prakrama by plundering certain Singhalese merchants, and slighting his ambassador. To avenge these insults, the king strained every nerve to fit out a naval expedition, capable of grappling with the numerous ships of his enemy and of conveying his army to the Eastern peninsula. By these exertions a fleet of five hundred sail was quickly prepared, an officer of renown was put at the head of the expedition, and the armament was dispatched. They sailed to Cambodia, landed at a part called Kúsuma, whither the enemy advanced with precipitation on the first intelligence of their appearance. A battle was

fought in which the Cambodians were totally defeated, and Adikaram, the general of the Singhalese forces, followed up his advantages, by an immediate march to Camboja the capital, which the precipitate march of its king had left utterly defenceless. This was speedily taken, and with it all the treasures and resources of the king. The fortified places were surrendered in consequence, a viceroy and annual tribute appointed, and the whole country was declared subject to "the great and glorious Prakrama-bahu," king of Ceylon.

Thus successful in his first expedition against a foreign foe, Prakrama next turned his arms against the kings of the districts in Southern India, called in the native annals Pandi and Sollí—on the Malabar and Coromandel coast. The motive of this invasion is but faintly exhibited, as some real or fancied grievance. Endeavoring to land at Madura, the general of Prakrama, found a force so considerable, drawn up to oppose him, as to render the disembarkation impracticable. The expedition then proceeded up the coast to Tellicherry, where they again found a force prepared to oppose them—they made the attempt however to land, and after a hard-fought battle, succeeded in driving the Pandians from the shore. One action after another succeeded, but generally so much to the advantage of the Singhalese, as to put the greater part of the country into their possession. In the last and most decisive combat, they were thoroughly successful and the consequence of it was, the submission of the entire country. The reigning prince was dethroned and his son, as a tributary of Prakrama, was placed upon the throne.

Such was the result of the last great enterprize of Prakrama. Ceylon was now in perfect peace. Its king was sovereign of the southern part of the eastern peninsula, as well as of the southern part of India—treasure poured in from the conquered provinces, and every thing promised a restoration of the Island to its former domestic prosperity. Nor were the exertions of its sovereign wanting to secure this result. The construction of canals and tanks, bridges, roads, courts of justice and libraries (all of which are duly chronicled) proved his desire to render his people prosperous, whilst the priestly historians delight to dwell on the numerous religious edifices which arose under his directions.

Such are the principal details handed down to us of the reign of Prakrama the great. He died in the year 1186 of our era, and had his measures been imitated by his successors, Ceylon would have been in a different condition, when first visited by Europeans. A period of anarchy and confusion followed, how-

ever in which the foreign conquests were lost, and many of the internal improvements neglected. But one short interval of nine years elapsed, in which a step was made in the right direction. With this exception the entire course of Ceylonese history from 1186 to 1505 was one of rapid retrogression. Civil wars, domestic commotions, and external aggressions combined with the apathy of the natives, to reduce Ceylon from the flourishing state in which Prakrama left it, to the condition of an uninhabited wilderness. The tanks were neglected, the embankments of the canals were allowed to fall in, the bridges were unrepaired. Every foreign invader extorted from the wretched inhabitants and the weak princes, every particle of wealth they could not by subtilty conceal, and Malabars, Moors and Malays all found it their interest to make incursions into Ceylon. The evils of a disputed succession commenced the decline, the aggressions of foreign foes increased it, and the natural apathy of the native character allowed it to continue.

We have thus roughly and rapidly travelled over the history of Ceylon, up to the year in which the Portuguese arrived. It is not our intention to enter now into the jurisprudence of the ancient Ceylonese; nor, into the knowledge which the ancient Europeans, possessed of the Island. These subjects would involve us in inquiries, too extended for our pages and may be more properly left to such a work as that before us. But before entering upon the actions of the Portuguese, we shall not omit to notice some of the conclusions we have arrived at, from a perusal of the early history of the Island, as regards the ancient condition and character of its inhabitants.

That the people who inhabited it at the time of Wijaya's invasion, must have been barbarous in the extreme, we should have concluded from the facts of that invasion, had it never been asserted by the native historians. The attainment of supreme power by the chief of a band of but seven hundred followers, and the extension of that power into the remoter provinces, proves at once, that the native princes were at variance with each other, and not in any case capable of effectual resistance. It is true that the means employed by Wijaya, for the establishment of his authority were those of cunning and artifice, not of open force—yet still the civilization of himself and his followers must have been infinitely superior, to that of the natives, or he could not have succeeded in his enterprize and in what the civilization of Bengal, whence Wijaya came, then consisted, we are pretty well aware. From this period then, we may date the introduction of improved habits and

manners into the Island, an improvement which, from the dispersion of Wijaya's followers, would gradually extend itself in every direction. The three centuries which followed till the reigns of Sena and Gutika, the usurping Malabars, although not wholly undisturbed by warfare, were yet eminently fitted, to promote and extend the improvement already begun. The establishment and embellishment of towns, seem to have been the first object of their exertions, and the remains of the more important of these, which still exist, prove to us what their population and perseverance must have been. The faith of Buddhism, so congenial to their dispositions, received a great proportion of their attention and in the erection of buildings in honor of the faith, many of the kings delighted to pass their days. Nor would the influence of Buddhism, as then taught, when diffused among the people, be productive of any other than humanizing results. The subjugation of the passions which it enjoins, the attainment of equanimity and repose, and the meriting heaven and happiness by benevolence and self control, could not but be influential on their natural feelings for good—whilst the elements of that Asiatic civilization which existed amongst them, when developed, enabled them to advance a certain extent on the path of improvement, without giving them the power to reach a high or distinguished position. At this point, when attained, they should probably have remained, but for the influence of external causes—the piratical nations which abounded around them, were in danger of plunging the Island into the barbarism whence it had emerged, and the turbulent character of the Ceylonese mountaineers, would have aided the result, had not an individual arisen who gave to these circumstances a military cast, and to the Ceylonese themselves, for the time being, a military character. But with Prakrama this state of things, promising as his civil and military abilities had made it, ended,—the Ceylonese, by habits, disposition and religion, were essentially unwarlike, and they relapsed on his death, into that lifeless apathy or irresolute and fitful disturbance so common in the East. Anarchy, civil war, foreign invasion, and weak princes, completed the evils which had arisen on the death of Prakrama, and at the beginning of the sixteenth century little else was visible, but the wreck of that which had once been a magnificent and flourishing kingdom.

On the testimony of both Eastern and Western writers, we arrive at the conclusion, that the trade of the Island at one time was extensive and lucrative. Ceylon was the entrepôt for the commerce of China on the one hand, and Arabia and

Persia on the other. Hither, merchants from the East and West of Asia, came mutually to exchange the commodities and productions of their respective countries—a traffic which must have considerably enriched the country in which it was carried on. Of this trade the Moors on the Western, and the Malays on the Eastern side, appear to have been the principal carriers, and from the accounts which they carried back with them, of the Island they had visited, probably arose those Moorish and Malayan invasions, which we have noted as having become exceedingly numerous, in the thirteenth, fourteenth and fifteenth centuries. To this trade, the discovery of the passage round the Cape of Good Hope by the Portuguese, put an end, and as that nation supplanted the Moors on the Coast of India, so did they also in the traffic of Ceylon.

The gradual decline of the country in civilization and population, is admirably depicted in the ruins of the various cities which at the different periods of Ceylonese history, became the capital of the Island. The remains of Anuradhapúra, the earliest capital, as far exceed those of Pollonaruwa, the succeeding seat of Government, in vastness, elegance, and beauty, as those of Athens exceed the Egyptian Thebes in the latter respect—nor is Pollonaruwa less distinguished, if compared with the succeeding capitals. These, together with the ruins of roads, bridges, canals and tanks, unoccupied or disused perhaps for fourteen hundred years, are the substantial proofs which we now possess of what the Island and its inhabitants once were, as well as the verifications of the accounts of native annalists, which, without this indubitable testimony, we might be disposed to doubt.

Some idea then of the state of the Island, at the period when the Portuguese first visited it, may be gathered from what has been said; yet to make this idea clear and distinct it will be as well to notice in a few lines the different classes of inhabitants which it contained. The Northern parts, from their proximity to the Southern Coast of India, were most subject, of course, to the irruptions of the Malabars, and hence it followed that in that quarter of the Island they had become as numerous, or even more so, than the Singhalese themselves. It was this continual increase of a foreign and hostile race in the very heart of their dominions, which, probably, caused the gradual removal of the seat of Government to the South and East by the later kings; the first capital, Anuradhapúra having been situated in the very centre of that division which the Malabars had at length occupied as their own. The general prevalence of the Tamil language and the Hindu system of

religion in this province ever since Europeans have been connected with the Island, up to the present time, prove the fact of their occupation.

Besides these however, a wild race subsisting on the produce of the chase, and destitute of habitations, also existed; totally distinct in almost every respect from their nominal masters—the Singhalese proper. These were, and still are, called Veddahs or Beddahs, a barbarous wandering tribe, ignorant of the simplest elements of civilization.

The district chiefly occupied by them is a wild, unopened portion of forest and mountain land towards the East and South of the Island, whilst they are also to be found, or, at least, were to be found at the period we speak of, between the level plain which skirts the sea on the north-western coast, and the opened districts of the interior, where at an earlier period numerous large cities had arisen. The supposition seems probable that these remarkable tribes, thus shut out from the rest of mankind in inaccessible mountain and forest land, are the descendants of their primeval inhabitants, whom Wijaya and his band conquered, and who were gradually driven into the more inaccessible districts by the occupation of the best parts of the country. The conjecture is at least as probable as any other with which we are acquainted on the subject.

We have stated that the trade of Ceylon on the Western side was principally carried on by the Moors, and of this tribe many enterprising merchants had settled in the Island who gradually engrossed in their own hands the entire of the transit trade of the interior, and by the favor with which they were received by the kings, became at length an important and influential class. At the present time, and during the occupation of the Portuguese and Dutch, they form the most enterprizing and energetic class of the native inhabitants.

Ceylon had been faintly known to antiquity by the accounts of Pliny and Strabo. Amidst much inaccuracy and exaggeration its chief features and most remarkable characteristics are to be found in one or other of the accounts, as well as in the allusions to be found in the works of other classical writers. Thus, its abounding with elephants was referred to by Dionysius, the geographer, when he speaks of μητερα Ταπροβανην Ασιηγενῶν ελεφαντῶν. Onesicritus and Megasthenes, according to Pliny, described it as abounding, the former in elephants, the latter in gold and large pearls *(auri margaritarumque grandium fertiliores quam Indos.)* The later writers, such as Ammianus Marcellinus and Cosmas Indicopleustes, added little to the knowledge formerly on record with regard to the island, nor

was the information picked up respecting it by Marco Polo extensive or accurate. He appears to have been the first, however, who noticed and described the remarkable mountain styled Adam's Peak, on which he informs us the tomb of the progenitor of mankind had actually been found! Ludovico Barthema of Bologna at the end of the fourteenth century describes the inhabitants as by no means warlike—their arms he informs us, consisted of spears and swords, but declares that in their contests little blood was shed from their cowardice *(perchè sono vili.)* His account, which is at least amusing is to be found in Ramusio's collection. Nicolo de Conte, a Venetian, and Jerome de Santo Stephano, a Florentine, also visited the island previous to the first arrival of the Portuguese, but without adding any thing of importance to previous accounts. We may conclude then that of the extent and population of the island, its inhabitants, productions and condition, little was known in Europe till its *discovery* (if we may use the word) by Lorenzo d'Almeida in 1505. Francisco d'Almeida, the father of the naval officer just mentioned was then governor of Goa, where the Portuguese had established themselves some time before. Some Moorish vessels of which he was in pursuit, d'Almeida was informed, had been seen in the neighbourhood of the Maldives and thither he dispatched his son Lorenzo with a considerable force. Strong westerly winds however set in before his vessels had reached the place indicated, and the result was his being driven near the coast of Ceylon, where he anchored opposite to the town now called Colombo. No sooner had the Portuguese shewn themselves on shore than information was at once conveyed to the king that "a race of men exceeding white and beautiful" (such is the description of the native annalist) had landed "wearing boots and hats of iron, and who were never at rest." "They have tubes" (said the same account) "which make a noise like thunder when it breaks upon Jugandere Parivata, and even louder; and a globe of iron shot from one of them, after flying some leagues, will break a castle of marble, or even of iron."

This curious account filled the court with alarm, and the question of commencing upon them immediate war was at once discussed in a council called for the purpose. After some discussion however it was resolved that an ambassador should be dispatched in disguise to investigate the disposition of the new arrivals,—no acts of violence on their part having yet been heard of. His report was that they seemed peacefully disposed, and his advice that an embassy which they were about sending should be favorably received. This prudent counsel was

adhered to, and on the arrival of Lorenzo's messenger presents were mutually given and received, whilst the Portuguese would have us believe that in the treaty which followed the Ceylonese monarch promised a large annual tribute of cinnamon. This weighty matter determined, Lorenzo erected a pillar in commemoration of the conquest of the island, and of its entire possession by His Majesty of Portugal! With so little scruple was the principle of *appropriation* then adopted!

At the period of this visit the Portuguese historian, Ribeiro, informs us that there were then in the harbour "many ships of Bengal, of Persia, of the Red Sea and other places, whence they had come to trade in cinnamon and elephants"—a circumstance which, if it can be credited, and we see no reason to the contrary, proves that a considerable trade was still carried on by the natives of the coast.

During thirteen years which succeeded this expedition of Lorenzo, and which appear to have been a period of internal tranquillity, we hear nothing more of the Portuguese in connection with the island. At the end of that period Lopez Suaar Alvarengo, with nineteen vessels of various sizes anchored in Colombo and proceeded to erect a fort. The natives were not disposed tamely to submit to this act of invasion and they accordingly vigorously but ineffectually opposed it. The invaders had a force sufficient to overcome all the opposition their feeble enemies could offer, and from being attacked, Alvarengo soon became the aggressor. No army that the Singhalese monarch could bring into the field, could withstand the charge of the well disciplined Portuguese, and submission with the promise of a tribute was the only course left him to adopt. Nor was the invasion of their country the only evil the Singhalese had now to deplore; for, on the death of Prakrama the ninth, in 1527, the sword was drawn by rival claimants for the throne, and the country was plunged in civil war and bloodshed. The singular moderation and ability of a third party, a chief of considerable power and a member of the royal family, at length succeeded in quelling the commotion by raising the direct heir, a minor, to the throne to the exclusion of the rival combatants.

An important siege of Colombo by the natives, however, had preceded this war, in which, such was the strictness with which they blockaded the city and the resolution with which they met the sallies of the besieged, that, but for a reinforcement of men and provisions, which opportunely arrived from Cochin, the fort would in all probability have been taken.

A quarrel between the reigning prince and his brother, which

occurred shortly after these events, and which was followed by the revolt of the latter, was the cause of a measure of the utmost importance as regarded the future prospects of the Island. This was no other than the enlistment, by the reigning prince, of the Portuguese in his service, to aid him in quelling the insurrection. The desire of Buwaneko, the prince of whom we are speaking, was to adopt a favored grandson as heir to his dominions—a design opposed by his brother. In order at once to secure the most strenuous exertions of his new allies in his favor, and to ensure the succession of his grandson, he sent an ambassador to Lisbon, with an effigy of the youthful aspirant and a crown, praying that the King of Portugal himself, John III, would be pleased with his own hands to place the crown upon the image and thereby pledge himself to support the measure he so much desired, a ceremony which was accordingly performed in the Great Hall of the palace at Lisbon, A. D. 1541.

The death of Buwaneko, the succeeding year, afforded an opportunity to the Portuguese of putting their promise into effect, and accordingly the youth alluded to, under the title of Don Juan, was raised to the vacant throne, nominally as the independant prince of Ceylon, but really as the puppet of the Portuguese. He found himself opposed, however, as his grandfather had been by the prince who resisted his accession, and that with an ability and energy which quickly altered the situation of events. The Western Coast it is true was in his hands, but the greater extent of the interior acknowledged the rebel leader. The death of this leader, shortly after he had succeeded in defeating a combined army of the nominal king's and the Portuguese forces, was far from relieving either of the difficulties of their position, for he left behind him an able, resolute and determined son, willing and prepared to continue the conquest. This son was consequently a distinguished character in the history over which we are travelling, and under the title of Rajah Singha, *the lion King*, frequently caused the invaders, to tremble for the security of their footing in the Island.

Anxious to take advantage of the death of their enemy and ignorant of the resources of Singha, the Portuguese at once dispatched a force to take Kandy and subdue the interior. In one of the passes through which their course lay, Singha planted a powerful ambuscade, and there at its extremity drew up his forces to await his enemies. A bloody combat was the result, but when the Portuguese saw themselves at length hemmed in on every side, and their retreat cut off, all confidence was lost, and besides a large force of native auxiliaries, 1700

Europeans perished in the battle. Reinforcements from Goa however, soon enabled the authorities at Colombo, to fit out another expedition for conquest and revenge, which it was determined should be sent up the river Kalany, to avoid the distress caused by marching in the low country. Singha was prepared for them—the victories of his father and himself had now given him a small force of artillery, of which he took the utmost advantage. They were posted in a convenient position on the banks of the river, and on the appearance of the invaders a fire, well directed and violent, was opened upon them which they could neither pass nor effectually oppose. A retreat was the consequence, and so well were the measures of Singha taken, that, before they reached Colombo, they were exposed to another fire almost equally destructive.

Excited by these successes, Singha now undertook the siege of Colombo, but had scarcely entered upon the enterprize, when he heard of a rebellion in Kandy, which he was obliged to withdraw his army to subdue. A course of cruelty and barbarity on his part to the members of the royal family, succeeded, which makes one shudder at the horrors related, and of this cruelty, the bitter consequence recoiled upon himself when he least expected it. A second time the siege of Colombo was attempted—for nine months the fort was strictly invested—their provisions were exhausted, their soldiers disheartened and every thing promised a speedy surrender, when news was brought that the son of a prince murdered by Singha—a youth baptized by the Portuguese under the title of Don John had assembled an army, and was making rapid progress in the neighbourhood of Kandy. To his infinite chagrin, Singha was once more obliged to raise the siege and march against this new foe. Don John slowly retreated to the South and East, as Singha advanced, and a lengthened warfare ensued of which no particulars are recorded. Of this warfare, carried on at a distance from the capital, the Portuguese took advantage to raise a new claimant, Don Philip to the throne a measure which for ever alienated from them the alliance of Don John. The latter took the first opportunity of passing to Kandy and there he cut off his new rival by poison and disarmed the Portuguese. Scarcely had this tragedy been transacted, when Singha was advancing rapidly upon his enemy. Don John speedily had his forces, now recalled, put into order of battle, and at the pass of Kadduganava the final conflict of this long continued struggle was fought. There, for the first time, the lion king was thoroughly defeated, and at a very advanced age, even upwards of one hundred years, he died a few days after the battle, of a

wound received in it. Such was the end of Singha, one of the few native princes, who by innovation on the military tactics of his predecessors became a formidable opponent even to a European force. This event occurred in the year 1592.

During all this time the weak and imbecile Don Juan was in the hands of the Portuguese, flattered by those around him with the *title* of king of Ceylon. Him they were unwilling to part with, and accordingly, on having, by aid from Goa, been enabled to fit out another expedition against Don John they put his descendant Donna Catharina, the lineal heir of the crown, at the head of their expedition. But the war with Singha had made Don John a soldier, and while the Portuguese general, De Souza, to whose nephew Donna Catharina was affianced, was advancing from the north in all the fancied security of contempt for his adversary; his opponent was quietly awaiting him at a pass on the road into which the Portuguese forces entered with fatal confidence. The event was what might have been anticipated—" Suddenly, from every side, the shrill chank and dissonant tom-tom sounded. Before, behind, on the right hand and on the left, their enemies leapt forth, and clouds of arrows, balls and spears descended upon them, it was a moment of fearful carnage; nothing was to be done by bravery, nothing by genius, nothing by flight. Every man was cut down in the place where he stood, and of that powerful army not a living being was saved but Donna Catharina." Even she was reserved for a fate worse than death —Don John forced her, by the indignities she suffered, to accept of him as her husband, and thus constituted himself lawful heir to the crown. A second expedition was equally unsuccessful although not accompanied with such dreadful loss to the invaders. Shortly after its termination (for we must hasten on in our survey) we find the Dutch for the first time engaged in the affairs of the Island. Admiral Spilbergen landed with three vessels, at Batticuloa, on the Eastern coast and thence proceeded to the capital. There he was very favorably received by Don John; permission was given by him to build a fort on the coast and to carry on a free trade in cinnamon and pepper on condition that they should carry on a war of extermination against the Portuguese. The death of Don John soon afterwards in 1604, left the interior once more a prey to disorder and bloodshed. Donna Catharina found herself quite unequal to enforce obedience, and still in the prime of life looked about for a successor to her late husband—but two princes of the royal family appeared eligible from their influence and authority, and the matter was quickly determined by the

murder of one of them. Senerat, the bolder and wickeder of the two, on the murder of his rival, presented himself to the queen and with the consent of the nobles, she accepted of him as her consort. Nothing of much importance subsequently occurred till the year 1612, when Boschhouder, a Dutch naval officer, made his apearance in Kandy, and there had the strange offer made to him of at once entering into the service of Senerat as admiral and general. The office was accepted and Boschhouder proved himself on various occasions of infinite service to the Singhalese monarch in the quelling of insurrections, and training of his forces. The death of Catharina in 1613 appears to have greatly shattered the stability of the Singhalese throne at this period, and were it not for the prudent advice and conduct of Boschhouder the Portuguese would probably have succeeded in reducing the entire Island. As it was, they expelled the Dutch from Cottiar near Trincomalee, and built a fort there and at Batticuloa for the protection of their trade on the Eastern Coast. Into the particulars of Boschhouder's embassy to Europe on behalf of Senerat in 1617-19, we cannot enter: suffice it to say that the unfortunate death of that officer on his return to Ceylon prevented Senerat from availing himself of the aid he had obtained from Christian IV. of Denmark. The death of the nominal sovereign Don Juan, at the age of sixty two, shortly prior to this event, gave the Portuguese, according to their historians, a valid title to the whole island,—that monarch having left it to them by will. It was not till 1630, however, when they had collected a force which Senerat was not likely to have the means of opposing, that they resolved to take advantage of this bequest. Constantine de Saa, an experienced officer, was put at the head of this expedition and by the caution and prudence of his operations seemed to ensure its success. The pass of Wellane where the troops of De Souza had been cut to pieces by Singha the first, was that by which De Saa advanced upon Kandy. Here Senerat had erected a tower, the siege of which occupied some time, but it was finally taken, and thence the road to Kandy lay before them open and undefended. Senerat, distrustful of a general engagement retreated to the South East as De Saa had advanced, whilst the King's son, afterwards the second Singha, harassed the march of the Portuguese in the rear. It was not till the invaders had advanced into the heart of a woody and difficult country, with a very much diminished force, that Singha, at the head of his own and his father's army succeeded in surrounding the army of De Saa. The native auxiliaries of the Portuguese could

not of course be trusted, for on the very first opening of a fire they deserted to the enemy. The European force thus encompassed was left to defend itself in the midst of innumerable enemies and in the centre of an almost inaccessible district. For two days they bravely defended themselves against the host of enemies that surrounded them, but at length wearied with slaughter and continued fighting—with their leader mortally wounded and no hope of escape even if they cut their way through their enemies, they surrendered at discretion. The consequence was the death of all those who refused to join the ranks of the King.

Senerat, after this brilliant exploit, the success of which he mainly owed to his more able son, lost no time in undertaking the siege of Colombo then badly defended, but the arrival of reinforcements from Goa and Cochin rendered his expedition fruitless. Shortly after, in 1634, he expired after a prosperous reign of thirty years, the prosperity of which he owed however to Boshhonder in the early, and Singha in the later, part. The son of Catharina by Don John had of course a prior claim to the throne on the death of Senerat, but this claim the warlike Singha was well prepared to oppose, and accordingly he had himself crowned at Kandy with the usual solemnities, whilst his rival, Wijayapala, fled to the Portuguese. They were willing, but for some time were unable, to attempt a diversion in favor of the fugitive prince, and when they did so, the usual difficulties, the inaccessible nature of the interior, and the numbers of Singha's forces conspired to overthrow the project and defeat Wijayapala's hopes, whilst they gave Singha an additional force of artillery of which he well knew the importance.

Anxious as Singha was to drive the Portuguese from the Island, he was yet aware that his own forces and the powers at his command were not sufficient to accomplish this. He therefore sent an embassy to Batavia, asking the assistance of the Dutch to enable him to accomplish his undertaking. A treaty was entered into between the two powers by which the Dutch promised their assistance, Singha bearing the entire expense of the expedition, on the condition that all the fortified places in the Island were to be finally given into his hands. Accordingly, in 1639, a force was sent to the Eastern Coast, which speedily reduced Battiealoa and Trincomalee, fortresses which Singha, with a very questionable policy, immediately destroyed. The following year, Negombo and Galle on the Western Coast were also taken, on the capture of which, disagreements broke out between Singha and his allies, from the nonfulfilment of their promises, on the part of the latter, which

ultimately led him to look with as much suspicion on their proceedings as on those of his former enemies. A desultory warfare between the two contending European powers in the Island was the consequence, into the particulars of which we cannot now enter. In 1646 an armistice was concluded which continued in force till 1654, four years after which the Dutch found themselves sufficiently strong to undertake the siege of Colombo and Jaffna, the only remaining Potuguese possessions in the Island. The former of these endured a long continued siege, but was at length compelled to yield by famine, during the continuance of which one of those horrible instances of maternal barbarity sometimes exhibited to satisfy the cravings of hunger, occurred. A few months afterwards Jaffna was invaded and taken, thus completing the expulsion of the Portuguese from the Island. The effects of their possession will probably never be eradicated. They have left their religion and language indelibly impressed upon the natives, forming in this respect a curious contrast with the Dutch—who, although they possessed the same districts for 130 years have scarcely left a trace of themselves behind. With the Indo-Portuguese language one can even now travel throughout the entire maritime, and a large proportion of the interior provinces, whilst a knowledge of Dutch would be to him of as little service as a knowledge of French or Italian; and it is similar with their religion. Roman Catholicism now disputes with Buddhism the majority of professors—whilst of the Dutch Reformed Church there are not probably three full congregations in the entire Island. This contrast is remarkable, although perhaps not difficult to account for, when we consider the difference in character of the two nations—the lively, accommodating, proselytizing Portuguese, and the avaricious, stolid and independent Dutchman.

Thoroughly convinced of course as Singha must long have been, that the Dutch had no intention whatever of performing the stipulations of their treaty with him, we cannot be surprised on finding him now treating them as enemies. They on their part however were content to defend themselves from his fury without attempting, as the Portuguese had done, to mix themselves up in the contentions of the natives, at the same time that they hoped by the obsequiousness of their conduct, and the numerous embassies with presents, which they sent, to conciliate at length his favor. His treatment of these embassies and the ambassadors was such, as the more mercurial Portuguese would not have tolerated without an attempt to be revenged. He frequently detained their ambassadors with-

out reason, imprisoned some, and left others at large,—at one time he accepted their presents, and then maltreated the bearers of it, at another he would neither receive them, nor grant an audience as they desired, but threatened destruction if they did not instantly leave his territories. Such was the relationship which subsisted between the two powers. The Dutch were content with the extent of their possessions, and directed all their thoughts to increasing the profit which the commerce of the Island yielded. They were merchants not soldiers, and as every source of income was made a Government monopoly, the character of their possession was rather that of a trading company's depôt than of a political dependancy.

In 1672 the French are first heard of in connection with the Island. During that year a fleet of fourteen sail anchored near Trincomalee under De La Haye, who sent three ambassadors to Kandy. These were favorably received by Singha, who being anxious to see the new comers embroiled with the Dutch, gave them permission to build a fort at Trincomalee. De La Haye was soon after obliged to leave for India, but before doing so, he despatched a M. De Lanerolle to inform Singha of his departure, and of his intention speedily to return. De Lanerolle arrived at Kandy—refused to violate the *grandeur* of *la grande nation* by acceding to the forms of the Singhalese court—and after an exhibition of childish punctiliousness and blustering bravado, so irritated Singha at length, that he was thrown into prison, where there is every reason to believe he ended his days. De La Haye never returned—he was met by the Dutch admiral Van Goens, and totally defeated in a naval encounter; four of his vessels were captured, the rest dispersed, Trincomalee was taken again, and again occupied by the Dutch.

The death of Singha in 1687 after a lengthened reign of nearly fifty years, gave the Dutch that peace and security which they so much desired. His successor Suria was naturally of a religious and peaceable disposition, so that whilst the Dutch were prosecuting their commercial schemes on the coast, he was endeavoring te restore Buddhism to its pristine grandeur —in order to do which with effect, he invited twelve priests of the highest order of the hierarchy from Siam. During the twenty-two years over which his reign extended, the Dutch Government drew large sums from their monopoly of cinnamon which they controlled and regulated by a system of policy admirably adapted to ensure the success of their intentions, that is, to raise and prepare the spice at the smallest possible outlay without any punctilious regards to the rights of

the native proprietors, and to sell it afterwards at the highest possible rate.

In 1707 Suria was succeeded by Kundisala his eldest son, whose peaceable disposition, like that of his father, gave a long rest of thirty-two years (the extent of his reign) to the enterprizes of the Dutch. His character appears to have been as bad or even worse than that of any other prince of his line. Drunkenness, cruelty, ignorance, impetousity, and revenge were the chief and most prominent characteristics of his disposition, and by the exercise of these qualities he at length fomented a rebellion amongst the nobles, which would probably have ended in his dethronement, but for the interference of the Dutch. In an embassy dispatched by the latter to condole with him on the death of his queen, they described her as his "high born, excellent, and all accomplished consort," a proof that if a compliance with the eastern arts of flattery and dissimulation would have secured their conquests, they were far from despising them.

It is not our intention in the present sketch to enter with minuteness into the history of the Dutch occupation of the Island. In fact they have left little in a political point of view to relate. Content with holding the forts, and securing the cinnamon plantations, they gave themselves little trouble with the transactions of the interior, and it was not till 1763, that they found themselves obliged to defend their possessions with vigour. Irritated by the attack made by Rajadhi, the reigning prince, upon his territory, Van Enek, the reigning governor, assembled all his forces and resolved to attempt vigorously the conquest of the interior. His troops advanced to Kandy, of which town they held possession for a short period, at the same time that Rajadhi had led his forces into the Dutch provinces and reduced some inconsiderable forts. The Dutch were thus forced to retire, and in the treaty which followed, a peace was concluded on the basis of a mutual restoration of conquests.

In the characters and conduct of the Dutch governors we find a striking proof of the necessity for a rigid system of supervision over colonial rulers. Without a press or an intelligent population beneath them, and at a distance so considerable from the supreme government, some of them launched out into a series of barbarities seldom read of in the annals of civilized people. Thus, one of them, Vuist by name, determined to render himself, if possible, an independent sovereign, and for that purpose proceeded to the torture and destruction of every Dutch officer, whom he supposed likely to oppose his schemes, whilst the patriotic opposition of those officers was visited by a

barbarous refinement in cruelty, on their unoffending wives and daughters. At length, in 1729, three years after the commencement of his government, a few patriotic soldiers banded themselves together to arrest the monster. He was accordingly seized and conducted to Batavia, where he was tried, and suffered for his crimes. Another, and that the very governor who succeeded Vuist, bent on aggrandizing himself, took a monopoly of the rice trade into his own hands, and as a very great proportion of the rice consumed in the island is imported, obliged the unfortunate natives to buy it at his own price. Grain was refused to those, formerly in comparative affluence, whose whole resources had been previously expended in purchasing it, famishing as they were, because they could not bring the stipulated price. It was not till 1732 that this heartless villain, Versluys, was obliged to relinquish his infamous traffic by being deprived of the government. A few exceptions, and some of them highly honorable to the Dutch character, are to be met with in the history of their governors, amongst which the names of Falck, Van Goens, and Van Imhoff are honorably distinguished. By their exertions, the agriculture of the maritime provinces was improved, and pepper, coffee and cardamoms added to the exports of the island.

It was in 1766 that the first English embassy from Madras arrived at Kandy, Mr. Pybus being the ambassador. On this occasion the friendship of the English for the reigning prince was dwelt upon, and assistance offered against the Dutch in the war which had just then broken out between the two powers. This assistance however the Madras Government found itself afterwards unable to give, and the Kandian court was left to carry on the war on its own resources. This measure on the part of the English was exceedingly unjust and impolitic,—unjust, because war was not then being waged between Britain and Holland, and impolitic, inasmuch as a promise was made which was never fulfilled. In 1782, however, under the Governorship of Lord Macartney at Madras, war having been declared with the Dutch, that nobleman dispatched a land force under Sir Hector Munro, and a fleet under Sir Edward Hughes to attack the possessions of Holland in Ceylon. With this expedition, Mr. Hugh Boyd, one of the reputed authors of the letters of Junius, was dispatched as ambassador to the court of Kandy. The fort of Trincomalee was speedily invested and taken, and on the departure of Mr. Boyd to Kandy, the admiral found it necessary to proceed to Madras for repairs. Before his return a French fleet had arrived in the harbour, taken the Fort, and

so fortified it, that, on revisiting it, Sir Edward did not consider that prudence would warrant an attack. Mr. Hugh Boyd in the mean time went to Kandy, and on his return to join, as he supposed, his comrades, fell into the hands of the French. Such was the conclusion of the second attempt at interference made by our countrymen.

The third, which occurred in 1795, was more successful. General Stewart, in the course of that year, attempted, and succeeded in, the reduction of Trincomalee, after a siege of three weeks, the only siege his enemies endured in the contest. The Dutch forces were at this period totally disorganized—their forts were continued scenes of riot, dissipation and mutiny, whilst the officers had not power to check these disorders. Shortly after the reduction of Trincomalee, General Stewart advanced against Jaffna, where he met with no resistance, the fort being surrendered on the first summons. Early in 1796 Negombo was similarly surrendered, on the occupation of which, the British forces lost no time in advancing against Colombo. The only opposition here met with,—such was the supineness of the Dutch authorities—was in a single sortie of a regiment of *Malays* headed by M. De Raymond, a *Frenchman.* This sally was vigorously repelled, and before all the dispositions for a siege had been completed, the Fort was surrendered. Galle, Matura and Batticaloa followed the example of the capital, and thus, without a struggle from its European occupants the rich maritime provinces of Ceylon were yielded to the British. We shall find that possession of the interior was not so easily and bloodlessly obtained.

Such was the inglorious termination of the Dutch occupation of Ceylon. If their conduct and proceedings in that island are to be taken as a sample of their colonial Government, we can only say that any territory which comes under their control is to be sincerely commiserated. The military despotism and religious bigotry of the Portuguese were certainly not so injurious to the native character as the commercial rapacity and total selfishness of the Dutch; and although we find them taking some steps to procure the conversion of the Singhalese to Christianity, we find them also taking the surest means of inoculating them with hypocrisy by preventing any but *professing* Christians from obtaining employment in their offices.

The next object of the British, on obtaining possession of the Dutch settlements, was to remove those injurious impressions which existed in the breast of the reigning prince against them. These suspicions had been engendered by the previous

embassies, which had so fatally miscarried, and in the expulsion of the Dutch without any communication made to him on the subject. The professions of the ambassadors were received coldly, and answered unmeaningly, nor was it till Rajadhi's death (which occurred in 1798) that the sentiments of the Kandian Court underwent a change. The first Adigar or prime minister, Pilame Talame by name, resolved to take advantage of the death of Rajadhi for his own aggrandizement. He therefore elevated a youthful illegitimate son of the last prince to the throne, conscious that he should thus obtain the real, whilst his creature held the nominal, sovereignty. The other members of the royal family were imprisoned by the usurper, and Mútu Sawmy, the queen's brother, alone succeeded in reaching the English.

On the arrival of Mr. North, afterwards the Earl of Guildford, to assume the governorship of the British possessions in the Island, Talame was not slow in opening a communication with him, promising, if encouraged, to murder his sovereign, and assume the crown as a tributary prince. These proposals in the open injustice in which they were clothed, Mr. North did not encourage, but proposed that the King and Court should reside in the British territories, whilst Talame should govern as Viceroy at Kandy. To this neither the King nor Talame would agree, and the negociations accordingly ended in no important result.

In 1802, however, a difference arose between the Kandian and British authorities, which produced a wasting and destructive war. The plunder of some Mahommedan merchants proceeding from the Coast into the interior was made the ground of demanding satisfaction by the authorities at Colombo. This the Kandian Court would not give, and, accordingly, early in 1803, General Macdowall and Colonel Barbut were ordered to advance on Kandy from Colombo and Trincomalee respectively. They arrived at, and took possession of, the town, which was completely deserted, and there they proclaimed Mútu Samy, King of Kandy and the interior. A treaty was then entered into with him as an independent sovereign, which contained numerous stipulations in favor of his new friends. Amongst these, one article declared that a tract of land stretching directly through the heart of the Kandian territories from Trincomalee to Colombo should be ceded, in perpetuity, to the English for the construction of a road, and another, that a British force should be stationed at Kandy to secure the new sovereign from the violence of his mountaineer subjects.

Whilst these transactions were proceeding at Kandy, Pilame

Talame, the general of the native forces, was hovering about the town and cutting off the communication with Colombo. So well were his measures taken, that in a short time the roads to the interior from the Coast were impassable to small detachments, and Kandy became in fact a blockaded town. In this condition he again opened a communication with the British General, offering to deliver up the young King, Singha, to his enemies, and to make a suitable provision for Mútu Samy, if the Viceroyalty were given to himself by the British. These were the very proposals formerly offered by his enemies, and were now only renewed to lull General Macdowall into security. They had the desired effect. The General was rash enough to trust one to be true to his enemies who had proved false to his country, and before the stipulations were fulfilled, he led a large proportion of his troops to Colombo, sending Colonel Barbut to Trincomalee, and leaving an officer incapable of command, Major Davie, in charge of the garrison at Kandy (about 1,000 strong) with the unfortunate Mútu Samy. All the subsequent disasters are to be traced to this fatal proceeding. No sooner had the respective detachments reached their stations, than Talame, still further to delude the authorities at Colombo, held a conference with Mr. North, at which the treaty was ratified, and a *promise* made to deliver up the unfortunate Singha within a stated period. Now it was that Major Davie ought to have found out the necessity for some measure on his part to ward off approaching danger. Large bodies of armed men were seen concentrating in the neighbourhood of Kandy—the stragglers from the town were being cut off, and every thing portended a determination on the part of the natives to make a vigorous attack upon the capital.

Yet the most supine indifference was betrayed by its defenders, until at length a formidable attack was made upon the town. This the garrison were unprepared for, and it was with some difficulty that their commander could obtain an armistice in which he proposed a surrender. The conditions of the surrender were, that the town should be delivered up with all its military stores and baggage, and that the troops (about 500 strong) with their arms alone should proceed to Trincomalee. The same evening the melancholy march was commenced, one hundred and twenty sick soldiers in hospital being left to the barbarity of their enemies—every one of whom was murdered. From Kandy to the ford of the Mahavelliganga, on the road to Trincomalee, is a distance of about three miles—when they arrived at it, the river was found to be so swollen by the late rains as to render passage without

boats impossible. These however were not to be obtained—Major Davie and his little band stood in irresolution on the bank, whilst their taunting enemies occupied the hills around. Next morning negotiations were renewed, and such was the destitute condition of the force that the Kandians had the effrontery to demand the surrender of Mútu Samy for torture and murder, as the price of their assistance to enable them to pass the river—whilst, more extraordinary still! Major Davie had the barbarity to comply with their demand. Mútu Samy, the unfortunate victim of what we grieve to call by its right name, British treachery, was delivered to the barbarians and suffered the agonizing and lingering death of impalement. Will it be believed that this was done—this act of treachery consummated—before the Kandians had fulfilled their part of the unhallowed compact? Mútu Samy was in their power, was already suffering for having received British protection, whilst the pusillanimous Davie with the men he had the misfortune to command, were still on the left bank of the river. He asked for the fulfilment of their agreement—they laughed at his folly, and proposed that he should conduct his troops *unarmed* back to Kandy. What were they to do there? Davie knew not. What hope of safety did that hold out? none whatever; and yet the wretched man agreed to it; agreed to it without consulting his brother officers, without informing the troops of his being about to offer them up as a sacrifice to his own insensate folly or cowardice, and Kandian cruelty. The fatal order was given "ground your arms"—the soldiers, ignorant of the compact agreed upon, did so, nor did the officers dare openly to resist, although they remonstrated with their superior. The arms were removed by the Kandians, the soldiers marched into a defile, the three superior officers, Major Davie, Capt. Rumley and Capt. Humphreys were separated from them, and the unfortunate force was then murdered—butchered in cold blood—unarmed and defenceless as they were, by the Kaffirs in the Kandian army! Major Davie and his brother officers lingered on and at length died in hopeless captivity. It is related in Ceylon, although we cannot vouch for the truth of the report, that on the occupation of the interior in 1815, Davie was still alive, but aware of the execrations heaped on his head by his fellow countrymen in the island, dared not reveal himself, and lived with a Singhalese wife in the savage style of a remote part of the large tract to the East of Kandy, called Bintenne, where even at the present day the face of a white man is not seen once perhaps in many years.

There was, in the whole transaction, but one redeeming trait, and that was in the conduct of a Malay officer, Nouradín by name, who happened then to be with Major Davie. The abilities and energy of Nouradín were known to Talame and he, in consequence, made him the most splendid offers if he would consent to desert the British service. This Nouradín refused to do—and even when the force had been captured and the same proposals renewed, with the information that his refusal of their acceptance would be followed by instant death, his answer was that he preferred *that* to treachery and desertion. He was immediately afterwards beheaded.

The retaking of their capital proportionably elevated the spirits and hopes of the Kandians, and the war which succeeded these events and continued unremittingly during 1803-4 and 5, was conducted by them with more than their ordinary vigour. It was a desultory series of partial actions on the confines of the British territory, nor did it present any feature, save the extraordinary march of Major Johnson, to merit particular detail. This expedition was one of the most extraordinary which occurred during the whole war and forcibly illustrates what could be done against such enemies by a small force under a resolute commander. With a body of 300 men he marched first from Batticaloa, on the Eastern Coast, to Kandy, a distance probably of 90 miles, the greater part of which march lay through the territories of the Kandians, and was defended by their troops. Arrived there, he found the force he expected to co-operate with him from Colombo had been otherwise engaged, and that the hills surrounding the town (exactly as on the former occasion) were occupied by the enemy. The town is situated in a valley completely encircled by hills, and with a small lake partly artificial in its immediate vicinity completely fills up the valley. To remain there subject to continual attacks would have been to risk the gradual destruction of his force, and its slightest diminution would have left little hope of safety. He was therefore obliged to undertake the same march which Major Davie with a superior force had been unable to accomplish, and that in the face of an enemy rendered confident by the late massacre. His little force took the road to Trincomalee, 113 miles distant, fought their way along, crossed the river notwithstanding the utmost opposition of the enemy, and continued their march, day after day, subject to constant attacks both by day and night, until he brought the majority of his gallant little band safe into the fort of Trincomalee.

In 1805 an armistice was proposed by the king which the English Governor did not oppose, and this, without any formal treaty, lasted till 1814. In the mean time however, the proceedings at Kandy demand our attention. It is not to be supposed that Wikrama and Pilame Talame could continue on the same footiug as had formerly subsisted between them. On the cessation of hostilities the king was determined to shake off the yoke of his adigar, and shewed this determination so openly as seriously to alarm Talame. A proposition of the minister's to marry his son to the natural daughter of the king was the cause of his dismissal from his offices and honors to retirement in his own district. This Talame could not patiently endure—he accordingly fomented a rebellion, failed in his enterprize, was apprehended and beheaded. This occurred in 1812, the same year that Mr. North was succeeded at Colombo by Sir Robert Brownrigg.

On the death of Talame, Eheylapola, who had been second adigar, was appointed to succeed him, but did not long escape the jealousy of the king. In self-defence Eheylapola excited an insurrection in Suffragam, but was defeated by Molligodde, (the king's general and second adigar,) and fled to the English. Wikrama's rage was ungovernable when he heard of this escape, and with the barbarity of a savage it was visited on all whom suspicion could taint—one circumstance, the last and crowning act of barbarity, we shall relate in the words of our author.

"The final scene of this domestic barbarity was horrible in the extreme, and if we wound the feelings of our readers by relating it, we must be excused by our strict adherence to truth, προσ ταυτα χρυπτε μηδεν. The unfortunate wife and children of Eheylapola were still in Kandy, and under the power of the inhuman tyrant whose actions we are relating. They were condemned to die. Before one of the temples of the Gods, in the market place of Kandy, they were doomed to suffer, and were led forth by the gaoler who had them in charge. The lady advanced to meet her fate with resolution; she proclaimed the legality of her lord's conduct and her own innocence, and hoped that the present sacrifice might be for his good. She then told her eldest son, a lad of eleven years to submit to his fate; the poor infant recoiled with horror from the sacrifice, when his noble brother, two years younger, stept forwards with a determined mien and told him that *he* would shew him how to die. One blow was struck and the head of the youthful hero was rolling at their feet. The

barbarity was not to end here, however. The severed head was thrown into a rice-mortar, the pestle was placed in the hand of the unfortunate mother, and she was told that if she refused to use it, *she should be disgracefully tortured.* The poor woman stood for a moment in irresolution, but disgrace was worse than any inward struggle. She lifted the pestle up and once she let it fall. One by one the same harrowing scene was repeated, until all were gone, and at last the poor infant at her breast was torn from its resting place, where, in unconscious innocence, it knew nothing of the awful scene that was transacting around it. It too was beheaded, and the milk which it had just received, flowed forth to mingle with its blood."

What an awful recital!—who can portray to themselves the poor mother standing irresolute under such a dreadful trial, without feeling the liveliest pity at her fate, and the strongest resentment against her heartless persecutor?—what must have been the agony of that temporary irresolution which was only ended by her inflicting a blow upon the lifeless and bleeding head of her own son! Whatever may be the evils of the British power in Ceylon, we may yet congratulate ourselves with the certainty that it can never sanction cruelty such as this.

In the latter part of 1814, the barbarous treatment of some merchants from the Coast by the Kandian tyrant caused an interruption of the amicable relations between the two powers in possession of Ceylon. Compensation was again refused, and in January of the succeeding year a considerable force was again moved towards Kandy. In the proclamation sent forth by the British Government at the commencement of this final invasion a very just distinction was drawn between the tyrant himself and the population (noble as well as plebeian) of the districts he governed. In that document it was distinctly declared that the expedition was against the tyrant and his power, not against the people whom he called his subjects. Numbers of the more influential chiefs came over to the British on the occasion, and every thing portended the conclusion of the authority of the Singha race in Ceylon. Even Molligodde the King's prime minister, and the only general of ability whom he possessed, as soon as he had succeeded in placing his family beyond the reach of Wikrama, came over to the invading force and lent his utmost exertions to second their intentions. On the 14th February the head quarters of General Brownrigg were established in Kandy, no resistance

was attempted,—deserted by his own subjects and only defended by his Malabar body-guard, the King was obliged to fly without having even the hope of effectual resistance to cheer him. Measures for his immediate pursuit were instantly taken —two days after the entrance of the British force into Kandy his wives and treasure were captured, and two days afterwards (on the 18th) a party of Eheylapola's followers discovered the King himself. His guard fought bravely in his defence but were overpowered by numbers, and finally Wikrama fell into the hands of that man whom of all others he had most deeply injured.

Eheylapola was not backward in shewing his enmity to his conquered oppressor. The King was bound hand and foot and treated with every indignity, till rescued by the British, who released him from his bonds and shewed in their subsequent conduct towards him, something of the courtesy of civilized warfare. The following year he was conveyed to Madras, and thence to Vellore where he died on the 30th January 1832, of a dropsy. Such was the fate of the last independent King of Ceylon, the last scion of a family which had governed the island for 2,300 years!

No time was lost by General Brownrigg in taking measures for an immediate settlement of the Government of the country. A conference was held in the audience hall of the palace of Kandy on the 2d March, between the British General and the late Prime Minister together with the other principal officers of Kandy, at which Sri Wikrama Rajah Singha was formally deposed, his family and relations for ever debarred from the throne, and all the claims of his race declared to be extinguished. The country was declared to be henceforth under the Government of the British sovereign—the laws of the country still in force—and the usual royal dues and revenues still to be levied for the support of Government. Such were the principal heads of the treaty, by virtue of which, the British power was recognized throughout the entire of the island. The Kandian chiefs were not yet prepared however, thus peaceably to surrender their authority. For two years they silently made preparations for a final struggle, and in 1817 the standard of rebellion was unfurled; a priest of the royal family became the competitor for the crown, and in a few months, it was evident, that the British must either relinquish their authority or reconquer the country. Every district of the interior was soon in open insurrection—the small detachments of the British forces scattered over the interior were cut off—and but for dis-

sension amongst the Singhalese chiefs, Kandy must have been evacuated. When this measure was in contemplation, news was brought of another aspirant for the throne having appeared —the former one was captured by his opponents, and thus disunited and destroying each other, the British found little difficulty in gradually winning back their lost ground. Nothing could be more destructive to the country than the state of things in 1818. A war of extermination was carried on in every quarter by the three contending powers. Districts were laid waste—villages burnt—the inhabitants slaughtered and the crops destroyed, and this, not in one quarter alone, but over nearly two-thirds of the extent of the island. At length the principal native chiefs on both sides were captured—the war became fitful and irregular, until an event occurred, which at once put an end to the contest. This was the capture of the Dalada relic, the sacred tooth of Buddha, and in Singhalese estimation, not only the most precious thing in the world, but also the palladium of their country. Resistance was immediately at an end, and in a new convention, held at Kandy, shortly afterwards, by Sir R. Brownrigg, some material changes in the internal administration of the Kandian provinces, were effected. Of these, the principal were the substitution of a tax of one-tenth of the produce of the paddy-lands for the uncertain revenues of the native princes—the abolishment of compulsory labor except in the making of roads and bridges; and the appointment of a Board of Commissioners, with agents in the different provinces to administer justice. Such was the result of the last struggle for independence of any importance made by the Kandians.

The improvements made in the civil Government of the commercial provinces previously, and of the whole island subsequently, remain to be briefly noted. In 1802 a court of judicature was established at Colombo to relieve the Governor of judicial superintendence. This measure was completed in 1808, by the appointment of a Chief Justice and Puisne Justice, who, three years later, were the means of introducing trial by jury. The great charter whereby compulsory labour was abolished, and the judicial establishment placed on a respectable foundation, was granted in 1833—by this, minor courts of Civil Jurisprudence and Criminal Jurisdiction were established, in which minor causes were tried by the District Judge and three assessors—from these an appeal lay to the Supreme Court consisting of the Chief Justice and two Puisne Justices, whence an ultimate appeal lay to the Queen in Council. Recently the

cases in the District Courts have became so numerous as to render necessary the institution of Police Courts and Courts of Requests which, there can be little doubt, will prove of immense benefit to the poorer natives, if properly conducted. We say, *if properly conducted*, for the salaries of the Police Magistrates and Commissioners of the Courts of Requests (the two offices being generally combined) are but £ 250 per annum, a sum inadequate te secure the services of men with any smattering of legal knowledge.

In 1834, the Legislative Council, consisting of the principal officers of Government with two unofficial members, held its first sitting. The unofficial members have since been increased to six, not too great a proportion certainly, considering that the council consists of fifteen individuals. Into this the Governor introduces what measures he considers necessary, assisted in doing so by the Executive Council, consisting of the Governor, the Commander-in-Chief, the Colonial Secretary, the Queen's Advocate, the Auditor General and the Treasurer, all of whom are distinguished by the title of *honorable*.

The collection of the revenue is entrusted to an agent of Government in each province (of which there are now six) with assistants in the more populous and extensive districts. These agents reside generally in the chief town of their province, occasionally visiting the other districts—those of Colombo and Kandy, or rather of the western and central provinces, being members of the Legislative Council.

That Ceylon has made a rapid progress in the race of improvement cannot be doubted, if we but compare its present condition with its condition in 1815, when it was first freed from the evils of domestic warfare and contending powers—the question still remains to be answered, however, whether this improvement is the consequence of its natural capabilities and the consequent exertions of private and energetic individuals, or whether it is the consequence of the excellence of that system of Government by which it is ruled. Popular outcry and the Home Government appeared lately to be equally convinced of the defects of the latter, attributing *nameless* evils (because *innumerable* are we to presume?) to the vices and defects of its civil servants without once calling in question the *system* under which these evils (if they were ever more than imaginary) grew. But however this question be settled, we may affirm, without much fear of contradiction, that at no previous period, since Europeans first became connected with the island, have the inhabitants enjoyed the same liberty and means of improve-

ment which they now enjoy—nor have the immense capabilities of the island been ever before in a state of development so rapid. With respect to that peace which it has now enjoyed for nearly thirty years, and which has produced so wonderful a revolution in its condition, we are sure every well-wisher to the island will exclaim—*esto perpetua.*

We cannot conclude this brief outline of Ceylonese History, without once more adverting to the superior merits of the work which is placed at the head of this article. Many and elaborate have been the publications on the History and Antiquities of Ceylon; but to the general reader, these are, for the most part, inaccessible, if not unintelligible. Valentyn's great work on Ceylon and other Asiatic territories, written in the Dutch language and extending to five folio volumes, has never been translated into English, and, in the original, is very rarely to be met with. Somewhat similar remarks may be made respecting other elaborate treatises, in different languages, ancient and modern, eastern and western. Even the recent researches of Turnour and Upham are comparatively little known, beyond the limited pale of a learned orientalism. Now, the grand design of Mr. Knighton appears to have been, carefully to consult all available authorities on the subject, and from a collation of their various statements, conjectures, and inferential conclusions, to compile a popular and intelligible digest of all that has with certainty, or a high degree of probability, been established. And it is no small praise to say, that in the realization of this important object, our author has been eminently successful. His work may not abound with those vividly graphic portraitures which dazzle, or those profound reflections which startle and amaze; but it is written throughout in a pleasing, elegant, unambitions style, and exhibits a flow of thought and remark at once easy, natural, and suited to the particular topics discussed. He has made the history of Ceylon accessible, intelligible, and attractive to the ordinary reader; while he has furnished materials fitted to gratify the curiosity of the learned, and call into exercise the contemplative powers of the philosophic sage.

ART. III.—1. *Marshman's Guide to the Civil Laws,* 1843.

2. *Marshman's Guide to the Revenue Laws,* 1840.

3. *Skipwith's Magistrate's Guide,* 1843.

4. *Lectures on Law, Part* 1, 1845.

5. *Elberling on Inheritance Gift, &c.* 1845.

6. *Boutros's Elements of Law,* 1844.

7. *Report of the Superintendent and Remembrancer of Legal Affairs,* 1844-45.

8. *Reported cases of the Sudder Dawani Adalut.*

9. *Norris' Decisions of the Sudder Dawani Adalut recorded in English in conformity to Act* 12, 1843—1845-46.

IT is not our intention to review minutely, the various works placed at the head of this article, though we shall occasionally refer to them. The list is given as an evidence that a craving for a knowledge of law has begun to manifest itself among the Indian community;—a craving which the works enumerated, have but partially and imperfectly gratified.

Legal knowledge, we are compelled to admit, is at a very low ebb in India, even among those whose duty it is to administer the laws in the Company's Courts, and it is almost unknown to those who are supposed to obey the laws. In England, the law is regarded as a profession, as a means of acquiring a fortune; and the study and practice of it during a long period of life, are considered as scarcely sufficient for the acquirement of a sound knowledge of it. It is certain that but few attain to any eminence in it. By persons not intended to be enrolled among the members of its profession, the law is scarcely ever made a subject of study; and such are for the most part content to pass through life in blind obedience to laws, of the effect of which upon themselves, or others, they are in total or in partial ignorance.

In India, on the contrary, every one is supposed to be a lawyer without any preparation at all, and the man who declared himself ignorant of law, because he had never studied it, would be regarded with astonishment, if he were not treated with contempt.

It is true that Indian law, commonly called the Company's Regulations, is more simple, and is naturally, from its recent introduction, less bulky than English law, and consequently a shorter period of study is necessary to master it: but we are desirous of removing the erroneous impression, that no

study of it at all is necessary,—an impression, which, pervading the whole of the Indian community, has established itself so firmly in the minds of the members of the executive Government, that their own legal adviser in suits connected with the Mofussil or Country Courts, may be a man wholly unacquainted with law, and is selected, not on account of his attainments as a lawyer, but because he has distinguished himself as an executive, criminal, or revenue officer; in other words, because he has given promise of becoming, in time, a better practical lawyer than the Judges of the Company's Courts, who, themselves selected perhaps for similar reasons, have, with equal talents, the advantage over the Company's Superintendent of some years practice.

The report of the Superintendent and Remembrancer of legal affairs for the years 1844-45, in our list of works, sufficiently points out the error of such a system. It shews that its writer is a man of talent and of a reflective and methodical turn of mind, but it shews also that his mind is unstored with legal knowledge, and it evinces, on the part of its author, an utter want of reliance upon himself, by the often repeated *hope*, not the *conviction*, that the views he has taken of the cases before him, will prove correct. There is an absence of decision in the opinions expressed, indicative that the writer is feeling for, not that he has found, or thinks he has found, his way, and is boldly pursuing it to the end. This apparent indecision must be attributed to the influence of natural candour, and a sense of the want of a sound legal education,—a want, which the writer shares with the other members of the service to which he belongs. In Paragraph 43 we find the following observation regarding the classification of sales effected by Collectors of Revenue :—"In future years this minuteness will not perhaps be necessary, but on the present occasion I was anxious to study the question myself, and believe that it is more accessible in its present form." These words clearly prove that the legal adviser of the Government was unacquainted with the question upon which he was called upon to give his advice—"he was anxious to study it"—and leaves it doubtful whether he had studied and made himself master of the subject when he wrote his report; he believes, but he does not assert from experience, "that it is more accessible in its present form." But we do not allude to this report with a mind blinded to the difficulty of writing it; of the difficulty of proving to the Government that its interests have not been neglected, yet in such language as to conceal from the eyes of all, but those of the Government, the course proposed to be pursued in maintaining

them; and still less do we notice it with a desire to disparage Mr. Alexander its author, for if this were the time and place to do so, we should have much pleasure in adding our testimony to his ability, impartiality, and conscientious zeal for the public service, as well as to the philanthropy and uprightness of his character; but we refer to it with the sole object of calling the attention of Government, to the fact, that so long as their own legal adviser is not thoroughly acquainted with the principles of law, so long will the acquisition of legal knowledge by the Natives be retarded. For if Government considers its legal interests secured by the superintendence of an officer, who, from the nature of his previous appointments, cannot be expected to be particularly eminent for legal knowledge, the people of India who are influenced by its example, will continue to enstrust theirs to the cheap agency of an uneducated Vakíl, rather than to the expensive advocacy of an educated Advocate.

The Regulations and Acts of the East India Company are not comprised in many volumes, and the contents of half, at least, have been rescinded, so that an ordinarily diligent student might with facility analyze and master the whole within the period of twelve months. His labour moreover might be greatly abridged by consulting the constructions of the law given by the Company's Judges in doubtful points, and which have been published, and may be obtained, with the laws themselves. The Regulations, however, as we shall shew hereafter, form but a small part of the legal studies of the Indian Student. For its general practical acquaintance with these voluminous Regulations, the Indian Public is to a certain extent indebted to the three compilations at the head of our list, as they are epitomes of the Regulations and Acts in force. They constitute, in many instances, the whole of the law library of the Native Judges, and Deputy Magistrates; and had they not been published, it is probable that the generality of these public officers would have been content to blunder on, in the same manner as their predecessors did, previous to their publication. They would have continued to imagine they were administering law, when they were in fact enforcing as law, the crude creations of their own untutored imaginations. But compilations are clearly not designed to take the place of the laws, and as such to be administered to the people. They are designed, by smoothing the path, to be incentives to the study of the laws, or as their names designate, to be simply guides to the laws, from which they are themselves compiled—guides chiefly to the students of the law, and as

such they have been directed to be used in the Government Schools. But is such a course of reading sufficient? Is a complete knowledge of the letter of the law sufficient, ultimately to produce that reformation in the Company's Courts which is admitted on all hands to be imperatively required? Is it sufficient to create good lawyers, or, what is a chief object of law, good subjects? We unhesitatingly answer, No. We might as well expect an experienced clerk of the House of Commons, familiar with all its rules and precedents, to be by virtue of that knowledge, a skilful parliamentary leader and tactician. Or we might as well expect a man who knew the London Pharmacopeia by heart, to be, in consequence, a skilful Physician. In both cases there might be a mere mechanical memory at work, without any capacity to embrace enlarged principles of action; there might be in the one case a total absence of all knowledge of the statesmanship, and in the other, a barren ignorance of the diagnosis of disease. And so with the lawyer who has only been taught the letter of the law, —he will never, without instruction in the principles of law, know properly how to apply his knowledge so as to benefit his client. "If he be uninstructed," says Sir W. Blackstone,— "in the elements and first principles upon which the rules of 'practice are founded, the least variation from established 'precedents will totally distract and bewilder him.—'Such 'is the letter of the law'—will be the summit of his know-'ledge; he must never aspire to form, and seldom expect 'to comprehend, any arguments drawn anew from the spirit 'of the Laws and the natural foundations of Justice."

In the address to the Students under its superintendence from the President of the Council of Education, which is to be found in Mr. Kerr's new edition of Bacon's Novum Organum, we find the following passage—As much as I should rejoice to 'see the bar of India supplied with Native gentlemen, elevat-'ed and purified by all polite learning, and trained to apply 'the great and beneficent principles of law and jurisprudence 'to the complicated affairs of a busy and improving communi-'ty; as much as I should rejoice in this, so deeply should I 'deplore, if, instead of this, we were to fill the Courts with 'petti-foggers, ignorant of every thing but rules and forms, 'acts and regulations and reports, their wits sharpened by the 'study of hair-splitting distinctions and captious objections, 'stirring up litigation to make their own fortunes out of it, 'or, at best, if they should think of duty at all, thinking only 'of their duty to their clients, and forgetting that any is 'owing to Truth and Justice." In these sentiments we most

cordially concur, and were any motive wanting, they would be entitled to increased respect and consideration, from the knowledge that the writer of them is himself a lawyer; and yet their effect is nullified by the fact, that the legal education supplied in our Native Schools and Colleges under this able gentleman's superintendence, is precisely that which he condemns, precisely that which will create, as he aptly expresses himself, "pettifoggers ignorant of every thing but rules and forms, and Acts and Regulations."

The inutility of reading the mere Acts and Regulations of the Government, as the means of affording a sound education to Native Students, has been acknowledged by the Local Committee of the Government School at Commillah, who in the preface to a little work included in our list, entitled Lectures on Law, remark, "As the mere letter of the law 'appeared to the Committee to be of little use, while the 'Elements and Principles were wholly untaught, and as the 'Committee had ascertained that no course of reading was 'laid down, and that no books were prepared, some of the 'Members determined to compile a course of lectures adapted 'to Native students, being convinced that any information 'which may be turned to account in practice, cannot but be 'eminently useful, more particularly as form the first moment 'of their entrance into public employment, the time of Native 'Officers is so completely absorbed by the current duties 'of their offices, as to render it hopeless for them to 'acquire a knowledge of the principles of those laws which 'they are bound to administer." The Committee then explain the plan of the compilation, and conclude their remarks by observing, "Without professing originality, it is the hope 'of the Members of the Committee to compile a work which 'may operate upon the minds of the Native Community, '('teaching them what is right and forbidding them what is 'wrong,' gradually thereby leading them to a just comprehen-'sion of those high principles of legislation, which are the 'basis of the Regulations of Government, and so essential to 'the due administration of justice."

As far as the compilation has proceeded, the object of the Committee appears to us in a fair way to be attained, but though the first series of the lectures has been published more than two years, the second has not yet made its appearance. The work appears to us to be judiciously, ably, and clearly done; but it certainly is far from being an echo of Mr. Jeremy Bentham's legal principles, and probably for this reason, it has not met with the approbation of the Government, and

has not been admitted into their colleges or schools, nor has any thing been written in lieu of it, to occupy the place for which it was designed. This we consider a subject of regret. The work seems to have the misfortune, as some would esteem it, of being founded on the text of Sir W. Blackstone's commentaries upon the laws of England, a work which very learned and eminent men have not been ashamed highly to extol, but which is not in good repute with many able men, who certainly have been the authors of many useful changes, but who, we fear, are sometimes too much devoted to the advance of a few of their own more peculiar opinions. No doubt if the entire fabric of British law were about to be altered, it would then be very right to repudiate Sir William Blackstone's stale legal philosophy, but as there does not appear to be any immediate prospect of such a consummation, it would be well, if the world were allowed, in the meantime, to derive whatever instruction it can, from the works which develope the principles of our present legal constitution. And as we have read these lectures, to which we have referred, pretty carefully, and think them well compiled, we must be excused if we beg that the decision to reject them, may be reconsidered. We are not of the number of those who are prepared summarily to reject Blackstone's authority, albeit, we confess that he is not infallible. But his work is a masterly production, it contains many noble passages, it is full of marks of great refinement in taste, and great general knowledge, and we should, certainly, as soon think of excluding Sir William Grant's, or Lord Stowell's, or Lord Hardwicke's decisions, from the list of legal authorities, as of treating Blackstone's commentaries with indifference. We should not object, if these lectures were rejected, to see nearly the whole of his first volume and large portions of his other volumes introduced into the Government Colleges and Schools. And so far would our veneration for the prejudiced but learned lawyers of old, extend, that we should even like to see a selection of such decisions as we have named, added as a class book. The minds of the pupils would thus be brought in contact with the productions of sound logical thinkers, whose classical style, and judicial severity of argument, would tend greatly to their elevation. It is not acuteness that natives require, nor refined metaphysical speculations; they need strength, purity, and comprehensive views—in fine, a masculine intellectual character. In default of Blackstone's works, or works of a similar character, those who object to them, would do well, themselves, to supply the Government Schools and Colleges

with a compendious treatise which might answer the purpose of the lectures now before us. Oral lectures of merit might be delivered when feasible, but as a competent lecturer cannot be obtained in all places where there are schools, there should be some suitable class book, either selected from the works already published, or written expressly for the Indian students. If the President of the Council of education would undertake this work, we believe that a valuable production might be expected, and we sincerely hope that he will not leave India without satisfying the present want of the schools and Colleges. Mr. Austin's lectures, some of Mr. Bentham's works, and some of Judge Story's, Montesquieu's Spirit of the laws, and some of Sir James Mackintosh's dissertations, with Sir William Jones on Bailments, one or two of Lord Stowell's decisions on points of international law, would supply abundant materials for an important standard compilation. We would only enter our caveat against a total neglect of the old black-letter lawyers. Lord Bacon, Sir Mathew Hale, and Mr. Charles Butler, be it remembered, were among the number, and the latter has shewn that it is possible to write agreeable notes even to Coke upon Lyttleton.

But to proceed with our remarks on the Company's Laws: we have observed that they are simple compared with the laws of England, but the expression must be taken in a limited sense. They are simple in their phraseology but complicated in their formation. They are based upon the laws prevailing when the English obtained the Government of the country, and are consequently an amalgamation of English with Hindu and Mahommedan law, yet modified so as to allow of the toleration of all religions, and to suit the customs and habits of the various people for whom they are designed to be a rule. Thus they are continually changing, and may be regarded rather as a code of experimental, than of permanent laws.

The object of every law, it must ever be borne in mind, is the happiness of every individual, consistent as far as is practicable, with the happiness of the community at large; and consequently the happiness or convenience of an individual member of society is occasionally, yet not wantonly, sacrificed for the good of the whole. Yet in such cases the necessity of the sacrifice is often unperceived, and always misunderstood, and a spirit of dissatisfaction is engendered against the laws, which the laws, if rightly explained and comprehended, would never create. We admit that the study of the letter of the law, is dry, laborious and uninteresting, but the study of the principles of law is the reverse. They are based upon the legiti-

mate foundation of doing unto all men as you would they should do unto you, and are calculated rather to interest and arouse the mind, than, like the letter of the law, to perplex and overwhelm it.

The law is so intimately connected with our daily thoughts and actions, that it is scarcely possible not to reflect upon it. It is scarcely possible for the mind to form a wish, to perform an act, of which the law forbids the performance and not ask itself the principle upon which such a restraint has been imposed. If the reasonableness or the necessity of the law be established to the satisfaction of the inquirer, he will not only acquiesce in its propriety, but will feel an interest in its preservation. He will not only uphold it by his own example, but by pointing out its propriety endeavour to deter others from violating it, and when his appeal is made to reason and not to force, to the force of the law, his endeavours will frequently be attended with success.

But have any pains been taken by the Indian Government to disseminate legal knowledge? Have any endeavours been made to lighten the harshness of particular laws by explanatory enunciations of their principles? We answer, no. It is true that greater publicity is given in the present time to laws before their enactment, by publishing drafts of them in the Government Gazettes, than formerly; but no means are taken to explain the reasons of their enactment, and to make it evident that each law is necessary. On the contrary, the Government has retrograded a step. The Preamble setting forth the object of the law, has been discontinued, so that the people are in reality kept in greater ignorance concerning it, than they were before their minds were supposed to be prepared for it by the publication of the draft. From the want of a preamble too, the judges are left in comparative darkness as to the spirit in which the law was conceived, and each man's opinion becomes in some measure, in consequence, a law to himself. Thus it is no unusual thing to find that a law which is not clearly worded is regarded in a different light in different districts. It is true that the law which enjoins upon the administrator of it, the duty of explaining the principle and object of the law to the people, is unrepealed—but how shall the blind lead the blind? How shall Native, nay English Judges, who are entirely uninstructed in the principles of law, and from whom the object or necessity of particular enactments is withheld, explain them? They cannot, and therefore do not attempt it. It is the law—and that is all they know about it. It is the law, and therefore they enforce it.

It is time that such ignorance should cease. The natives of India are not such children as we once seemed to consider them. By education we have ourselves bidden them cease to consider themselves children. By entrusting them with responsible situations under Government, we have ourselves proved that we cease to consider them as such. Why then should we neglect to direct so powerful a weapon as popular opinion, to our own advantage? Why, when we have taught them to think, should we omit to teach them to think aright, or omit to "lead them to a just comprehension of those high principles 'of legislation which are the basis of the Regulations of Go-'vernment, and so essential to the due administration of 'justice?"

It has often been asserted that our Empire in the East is an empire of opinion, and though this assertion has occasionally been made sneeringly, we admit its correctness. Our empire though gained by the sword, *is* rather maintained by opinion than maintained by our arms; but it is opinion based upon a well grounded reliance upon the good faith of our Government. Let it not be forgotten that that good faith is based upon our love of justice, and our justice upon our benign religion,—a religion which leads us to endeavour to fulfil the designs of our common Creator, for the happiness of all his people without distinction of caste or creed. This confidence in the word of the British Government, is the link which commands the respect and admiration of the natives of India, and binds them to us; and so long as this is unshaken, so long will there be little danger of general disaffection. This feeling of confidence we should endeavour to strengthen by every means in our power, and none seems so obvious as a demonstration of the principles which guide the Government, more especially the principles of the laws which bind both the Government and the People. There are many laws upon our statute books which are deemed obnoxious, and pains should be taken to explain to the people the principles upon which they are based. Let us for an example take the resumption laws, the enforcement of which created bitter feelings of animosity in the minds of our native fellow subjects against the Government, and which are still considered as unjust engines, to wrest from their grasp, estates of which, in their ignorance, they believe themselves to be legally seized. And yet a dispassionate consideration of these laws will shew that they are based upon equity, and have been enforced with as much tenderness, as circumstances would admit of, and

that in no respect has the good faith of Government been violated.

From the preamble to a resumption Regulation enacted in 1793, we learn, that by the ancient laws of the country, the ruling power in India is entitled to a certain proportion of the produce of all land; and as a necessary consequence, if a landholder made a grant of any parts of his lands, to be held exempt from the payment of revenue, the dues of the Government must be alienated. Had such grants been admitted to be valid, the revenues of the Government, it is obvious, would have been liable to gradual diminution. Previous, however, to the accession of the Company to the Dewani in 1765, many alienations of land had on various pretences been made, and the lenity of the Government induced it to uphold them, provided the grantees had obtained possession, at least to the extent of the intentions of the granter as ascertainable from the terms of the writings by which the grants might have been made, or from their nature and denomination. Grants made since the date of the Company's accession to the Dewani, without their sanction were declared to be illegal and void. Many fraudulent alienations, however, were made after the date of the Company's accession, the deeds being antedated and registered in the Zemindari records, as having been alienated prior to that period, while others were made in spite of the proclamation, the grantee being left to maintain himself in possession by such means as circumstances might afford, in the event of his title being brought into question. Under such circumstances it became the paramount duty of the Government to recover the public dues thus alienated, as well as to resume the revenues of all lands legally alienated, the grants of which might expire; and measures were accordingly taken to effect this object, the principal of which was registration. To prevent the plea of ignorance, publications were fixed up in the principal Kacheri of every landed proprietor paying revenue to Government, as well as in other public places, calling upon grantees to register any lands they might consider themselves entitled to hold rent free, within the period of one year from the date of the proclamation. An omission to register such lands within the above named period, would, it was declared, render them liable to resumption, but a power was reserved to the Governor-General in Council, to direct a grant to be admitted upon the Register, after the lapse of a year, provided he should be satisfied that the reasons for omitting to register it before, were good and sufficient. The mere registring of grants, however,

was expressly declared, *not* to be considered as an admission of the *right* of the person in whose name they might be registered, to the property in the soil, or of his *title* to hold the land exempt from the paymemt of revenue; but, on the contrary, such assumed right or title was declared liable to be called in question before, and be determined by, the Civil Courts. But although the Governmcnt was desirous of recovering the public dues, from lands illegally alienated, it was equally solicitous that the measures should be attended with as little distress as possible, and therefore declared that no lands hitherto held rent free, should be subjected to the payment of Revenue, until the title of the proprietor should have been adjudged to be invalid by a final judicial decree; nay, at a later period the Government with much tenderness and consideration declared that such lands should not be assessed till six months from the date of the decree.

Now it is impossible, we think, to find fault with the principle of justice upon which the law was based, or to do otherwise than admire the considerate spirit in which it was framed. The right of the Government to a portion of the revenue of all lands illegally alienated, was clear and indisputable, and the holders of such lands had no just grounds of complaint, when the lands were wrested from their illegal grasp, and were made to contribute their fair proportion of taxes, to the necessities of the state. Murmurs would of course have been heard, had the resumption of all these illegal tenures been made immediately after the promulgation of the law, but they would have arisen only from their possessors, who would not, as they did at a later period, have enlisted on their side the sympathies of the whole community. Unfortunately few inquiries were instituted into the validity of the titles until the year 1826, when they were prosecuted with so much vigor as to render it necessary in 1828, to appoint Special Courts for the speedy hearing and determination of appeals in such cases, from the decisions of the Revenue Authorities. Subsequently, Special Deputy Collectors were appointed in every district, who simultaneously prosecuted their inquiries with increasing energy and have at length brought their labours to a close,—a very considerable sum of money being added to the Government's rent roll. The energetic measures resorted to by the Government at the eleventh hour, were adopted, not merely with the view of recovering the public dues for lands which were illegally alienated, but of securing in their possession and enjoyment of them, persons who held lands under titles declared to be valid,

though no credit for such intentions was ever attributed to it by the people. The object of Government was totally misunderstood, and a feeling of insecurity pervaded the community. The people considered their rights to be encroached on, and the good faith of the Government was regarded as violated. The holders of rent free tenures considered themselves as objects of unjust spoliation, and the sympathy of the whole community was enlisted on their side. Nor was this to be wondered at, when we consider that a period of forty years had elapsed, from the date of the invitation to register deeds, till the time that the investigation into their validity was conducted with the greatest vigour. Many, whose deeds were registered, believed their titles to be good, and others believed that their deeds, though in some points deficient, had been rendered valid by the act of registration. The supineness of the Government for so long a period had given a fictitious value to all reputed rent free tenures, and the holders of forged deeds, or of deeds invalid, found no difficulty in disposing of their lands. The transfers were never questioned by the officers of Government, and the purchasers had no reason to suppose that their titles were informal. Many of these estates too, were sold by the officers of Government for the realization of Revenue, or in execution of decrees of Court, and were sold as rent free tenures; but it was unknown to the purchasers, that, though denominated as rent free by the officers of Government, the validity of the titles had never been ascertained, and that an inquiry might be instituted into them at the pleasure of Government. Thus grantees and their descendants, private purchasers and purchasers at public sales, and their descendants, were supinely allowed to enjoy their estates in undisturbed security for many years,—a security which was ultimately the ruin of many, whose titles were really valid. They became careless of their deeds and documents which fell a prey to damp or insects, or were left to decay in the Government Offices, where they had taken them for registry. Regardless even of the rumours of resumption of the estates of others, which occasionally reached their ears, they troubled not themselves about their own estates, (estates which they and their ancestors, and their neighbours around them had so long regarded as indisputably rent free,) and when the day of tardy justice arrived, they were ruined; they had no documents to substantiate their rights, and they were hurled from the pinnacle of affluence or competency, to the depths of poverty and despair—

they were obliged to apply to those whom they considered their oppressors, to be allowed to eat a piece of bread in one of the Public Offices. They became dependants of the Government.

But not thus careless were those who more recently had obtained illegal grants. By bribery and corruption, they succeeded in getting their estates entered in the book of registration, and by the forgery of documents, established a chain of evidence in their favour, which in many instances was but too successful. The validity of their titles was admitted, and they were at once secured in the possession and enjoyment of their estates,—the fruit of their successful villainy.

Is it to be wondered at, that under such circumstances, a feeling of animosity was kindled against the Government, in the breasts of part of the community? They saw those whose right to hold lands rent free, they ignorantly considered to have been long, though tacitly, acknowledged, by the Government, struggling with adversity. They beheld those whom they knew to be rogues, acknowledged to be the nobles of the land. Discontent, and in some instances disaffection, was aroused against the Government, and that blind reliance upon its good faith which had so long been accorded to it, was shaken to its foundation. And yet in no single thing had the good faith of the Government been violated. It was only culpably remiss in asserting its just rights, and never contemplated the amount of misery, its remissness would occasion. To the victims of its tardy justice, indeed, it had no palliative, consistent with the assertion of its just rights, to offer; but it might have allayed by well timed explanations, the feelings of distrust engendered in the breasts of their neighbours. It might by proclamation have pointed out, and explained, the equitable principle upon which the resumption laws were framed; have exposed the injustice of excepting one portion only of a district from the payment of the public dues, and of allowing one man to enjoy the benefits of its protection, at the expense of another. In other words, it should have explained to the people the law, and have endeavoured to excite their admiration of the equity and justice of its principles. It should have appealed to their understanding, rather than have disregarded their apprehensions, and have reasoned with them as a parent, rather than have crushed them as a task master.

Having thus cursorily noticed one out of several laws in force, which are deemed obnoxious, for the purpose of pointing out the light in which it properly appears when its principle is studied, let us glance at what the law of India really is,

and endeavour to shew the wide range of legal study necessary to a student, desirous of becoming properly acquainted with it, and competent wisely to administer it.

We have said that the Company's laws are based upon the laws which were in force when the Company obtained the Dewani; but what those really were, appears to have been unknown to the early English Legislators, and it has long been a subject of dispute, whether the Hindu, or the Mahommedan code was "the law and constitution of India" referred to by the legislature, by which it was declared that the rights of the natives should be protected.

We are not going to enter into this controversy, as it is immaterial to our subject, both laws being now in some respect, the law of the country; but we cannot help remarking, that we are of opinion, that the Mahommedan law, was the law administered, because it is a principle of the doctrines of Islam, to introduce its laws into every country conquered by its followers. Had not this principle been universally recognised, the Futwa-Alumgírí, compiled under the direction of Arungzebe, about fifty-five years before the accession of the Company to the Dewani, expressly for the Government of India, would prove that the Mahommedan law was the public law of the country; though it is possible that the more liberal of the Mussulman princes, may have allowed their Hindu subjects the privilege of deciding their disputes according to the Hindu law, in cases where the interests of Hindus, were alone the subject of discussion. In this work, the law of inheritance among infidels is taken from the Mahommedan code. "They shall take among themselves 'by blood and by compact as Moslems take among themselves. 'The progeny of a marriage which is legal by their sacred 'books, though illegal by our law, shall not be debarred from 'inheriting, but the parties to a marriage which is illegal by 'our law shall not inherit in virtue of such marriage." Reference is made here to the Hindoo law with the view of upholding the rights of children, a principle observable throughout the Mahommedan law, which invariably recognises the legitimacy of children in all cases, where it is within the bounds of possibility; but it was at the same time superseded by the Mahommedan law which thenceforth became the law of the land, and is consequently the basis of the laws of the East India Company. But, though the basis of Indian laws, the Mahommedan is only a component part of them—it has been modified and altered so as to suit the habits of the people. English and Hindu law

have been engrafted upon it, and our legislators, avoiding the faults of both, have enacted a code which has been found upon the whole to be well suited for the Government of the country. It may be said of it, indeed as of the Code Frederique, that "if it exhibits nothing very subtle or profound, it affords one proof more, that the right is easily discovered, and that men do not so often want ability to find, as willingness to practise it."

But what a vast field of inquiry is here laid open to the student! The principles of Coke and Blackstone, of Manu and of the Koran, will be discovered in juxta-position or curiously blended together; and, if for exercise only of the intellect, a comparison of them must lead to the improvement of the reasoning faculties. The Hindu law "with its puerilities or worse than puerilities," will claim, however, but little attention, and excite only a wonder in the mind, that any thing so barbarous, any thing so absurd and degrading, should have found any place among the laws of the East India Company. The Mahommedan code, on the contrary, will not suffer from a comparison with the English code, but will in the estimation of many be regarded as superior. Mr. Mill, in his history of India, asserts that "there is a high strain of intelligence"—"a considerable refinement of thought"—in the Mahommedan law, which, "though defective as compared with any very high 'standard of any existing system, with the Roman law for 'instance, or the law of England, will not be found to be so 'inferior as those who are familiar with these systems (the 'Roman and English) and led by the sound of vulgar applause, 'are in the habit of believing," nay, he afterwards pays it the well merited compliment of being in some respects their equal, by saying, "in affording strict and accurate definitions of the 'rights of the individual, the three systems of law, the Roman, 'the English and Mahommedan are not very far from being on a 'level." But, in its extraordinary exactness and nicety of definition, the Mahommedan law excels both, in the estimation of some, who fully concur in the praise awarded to it by another writer;—"That although many of its laws are defective, perhaps worse 'than defective, yet as a body of jurisprudence, as a system of 'law, it has no equal. I do not speak of its intrinsic merit, or 'the excellence of its political regulations, but of the singular 'and systematic mode in which it has been digested, arranged, 'and subjected to the government of rules and principles, for 'the purpose of guiding its application in practice; and I am 'persuaded that as a body of logical and analogical reasoning,

'shewing on the one hand, the real similitude of things, and 'on the other, the minute shades of distinction which the 'human mind is capable of perceiving, in cases, apparently 'similar, yet different, it must leave certainly, the English law 'very far behind."

But it is not our intention to proceed with the comparison; our object is simply to shew, that the study of the laws of India is a highly extensive and interesting one, and to excite a desire in the minds of our readers to judge for themselves. To such as may have a desire of comparing, without any trouble to themselves, the English, Mahommedan and Hindu laws, we would recommend the perusal of Elberling's treatise on inheritance, sale, gift, and mortgage, where the three laws upon each subject are all ranged together though in somewhat inharmonions array. No attempt has been made by the author to reconcile the laws one with another, but they are brought together, merely to shew what the laws actually in force are, and the principles upon which they are based.

From what we we said of the intrinsic excellence of the Mahommedan law, it may be inferred that it was in some respects suited to the Hindu population. In other respects it was modified to suit them, but it was considered to be so wholly unadapted to English residents, that they were allowed a court of their own, the Supreme Court, in which the laws of England were administered, and which is in existence in the present day; although the law has been altered so as to render Englishmen amenable to the jurisdiction of the Mofussil Courts, in cases arising out of their connexion with landed estates.

A more intimate acquaintance indeed with the wants, habits and customs of the natives of India, has shewn the Government that at no very distant period of time a code of laws and rules of practice suitable to all, Europeans, Hindus, and Mahommedans, may be enacted, which shall be enforced upon all by Judges amenable to one Supreme Court.

The draft of an act commonly called the lex loci was published for general information at the beginning of the year 1845, having this object in view, as far as regards Christians of every denomination, but in so crude and undigested a form, that we need not be surprised that it should have been withdrawn. It seems indeed that it was published, not with the intention that it should be carried into effect, but with the view of preparing the minds of the people for a future change, by the contemplation of a proposed reform, so that, when that is effected, it may be regarded as a measure which has arisen gradually and na-

turally, from the force of circumstances. By this act it was proposed, that the laws of England should be administered to Christians by Judges who might be natives, who were to be controlled by a High Court of Appeal which would supersede the Supreme and Sudder Dewani Courts, and be composed of English Judges trained to English law, and of Judges selected from the Company's service. By these would be decided questions of English, Mahommedan, and Hindu law, to be modified and corrected by equity, so that the principles of one should not be subverted by the principles of the other. But how shall men who have been uneducated in the principles of any laws at all, be capable of administering so complicated a system? How shall they be able to discover when the nice distinctions of the one law are dissimilar to the distinctions of the other, or having discovered them, be capable of correcting them by the principles of equity? It would be impossible that they should give satisfaction even to one party, or command the confidence of either. And yet with such a law in contemplation, the Government is taking no measures to train up Judges capable of executing it. Two things are necessary to constitute a legal decision—fact and law—and though a legal education is not absolutely necessary to enable one to decide upon the first, it is indispensable to the administration of the second. A question of fact indeed, where the evidence adduced is unobjectionable, may be as competently decided upon by a man uneducated in legal knowledge, as by an educated one, because his reason is alone appealed to; but the uneducated man left to himself, would not know whether the evidence were good. Ignorant that practice has discovered that, for weighty reasons, certain evidence is inadmissible or unworthy of credit, or at least suspicious, he would lend an open ear to all, and thus arrive at an erroneous conclusion, which would consequently, on these grounds alone, be liable to impeachment. The law of evidence indeed is one of the most important branches of legal education, and in this country is most deserving of study, because it is different under the three laws, English, Mahommedan and Hindu; and yet it is wholly neglected. But when the mere reading of the Acts and Regulations of the Government is considered per se a sufficient qualification for the bench, how could it be reasonably expected to be otherwise? No mention of the description of evidence which should be considered admissible or inadmissible, is to be found in them, and the subject therefore is wholly disregarded. The evidence admitted

by one Native Judge is considered to be inadmissible by another, and "the glorious uncertainty of the law" as it has been called, is in India fully illustrated. The analysis of the decisions of the Sudder Dawani Adalut prepared by the Register of the Court, and those published by Mr. Norris, show a lamentable ignorance on the part of the native Judges, not only of the principles of law, but of the laws they are called upon to administer, and lead also to the startling conviction that many of the English presiding Judges are equally unlearned, and that they have, as might be expected from their lack of education, embraced the opportunity of suits coming before them, of making themselves acquainted, for the first time, with the laws which will govern the cases. The nominal rules of practice too, laid down by the Court are clearly no real rules at all. They are overlooked, or disregarded, or superseded, at the pleasure of the presiding Judge, so that no suitor can go into the Court with any reasonable certainty of gaining his cause. He may have on his side many precedents, and conduct his case in the manner prescribed by the rules of the Court, but he is told that the precedents are bad and the rules inconvenient. A new precedent is therefore established and a new rule made in his case, which are themselves set aside on some future occasion. We must, however, do the present Judges the justice to say, that there are many striving to introduce a uniformity of practice and law, throughout the country; but they are unfortunately groping in the dark: the precedents laid down for them by former judges are founded on erroneous principles, or devoid of any principles at all, and they are themselves perhaps too deficient in legal acquirements to establish others in their place on sound and stable foundations. The task they have assigned themselves, however, is one of extraordinary difficulty,—a difficulty enhanced by the fact that our laws are of an experimental rather than of a permanent character. "It is perhaps impossible," it has been said, "to review the laws of any country without discovering many defects, and many superfluities. Laws often continue when their reasons have ceased. Laws made for the first state of the society continue unabolished when the general form of life is changed. Parts of the judicial procedure which were at first only accidental, become in time essential; and formalities are accumulated upon each other till the art of litigation requires more study than the discovery of right." The laws of India are certainly not exempt from the truth of these remarks, and the practice adapted to the first

Courts under our Government is found to be unsuited to those of the present day. But the Judges of the Sudder Court are striving to apply remedies; and we do not despair of seeing their exertions, after a lapse of time, crowned with some degree of success.

It must be conceded that the Mofussil Courts do not enjoy the confidence of the people, and that they are resorted to rather as houses of chance than as Courts of Justice. A suitor is never heard to talk of the justice of his cause but of his 'Kismut,' or chance, and as long as this feeling, arising from a want of confidence in the legal abilities or integrity of the Judges, exists, so long will our files be crowded with litigious causes, and so long will appeals be multiplied. We are not of those who consider all native Judges corrupt because they are natives, and that consequently a suit must necessarily be gained by the most wealthy of the parties. On the contrary we have heard of some, and known others, who, during their official career, have enjoyed a reputation for the strictest integrity and impartiality, though admitted to be deficient in legal knowledge, and who have retired from service honoured by the Government, and respected by all who knew them. But it is time that legal ignorance on the part of our Judges should cease. We are educating the mass of the people, who will soon be able to judge of the qualifications of their rulers. We must not as the Emperor Nicolas of Russia proposes to do, "oppose barriers to civilization" by putting a stop to education, but we must raise the standard of a Judge's qualifications. We must select Judges, not on account of their seniority in the service, but on account of their merits and legal attainments. We must teach them (and the instruction should be commenced in our Schools and Colleges) to fill the situation of Judge with dignity and efficiency: and "to fill it with efficiency," says Blackstone, "it is necessary that the Judge should understand 'his business, and have not only the will but the power also, '(under which must be included the knowledge) of administer-'ing legal and effectual justice. Else when he has mistaken 'his authority through passion, through ignorance, or absurdity, 'he will be the object of contempt from his inferiors, and of 'censure from those to whom he is accountable for his conduct." 'By teaching them what is right and forbidding them what is 'wrong", we must lead them, with a firm hand to a great comprehension of those high principles of legislation which are the basis of the Acts and Regulations of the Government of India, and essential to the due administration of Justice.

ART. IV.—1. *Carne's Lives of Eminent Missionaries, vol. I., p.* 299-318*: John Kiernander.*

2. *Asiatic Journal: Biography: Kiernander the Missionary.*

IN the first number of the *Calcutta Review*, we presented our readers with a sketch of the earliest Protestant Mission to India, carried on by the zealous labours of Ziegenbalg and his colleagues at Tranquebar. Believing, as we do, that the increase of morality constitutes the only solid improvement in a nation's condition, since without it all other improvements become vitiated and useless, we make no apology for continuing the same subject in a short Memoir of the first Protestant Missionary to Bengal, the Rev. J. Z. Kiernander. Though this is not the place to discuss the question, we state it as our full conviction, that the regeneration of India will essentially depend upon the progress of that Christianity, which was first preached to the natives of Bengal by the excellent missionary of whom we speak. If it be true that "the man who causes two blades of grass to grow where only one grew before is a benefactor to his species," much more is he entitled to that name who first roots out noxious weeds, to plant in their stead a tree of life. Science, philosophy, and art have done much to promote the comfort of men; but there is a higher good than relates to earthly life, which they have failed to accomplish. And if he is blessed who multiplies the resources of society, who provides for increased communication between the various tribes of men, for the increase of personal comfort, and social happiness; who by trade and commerce opens to the poor, blessings never heretofore enjoyed; who gives mental light instead of darkness, and knowledge instead of ignorance; much more is he a benefactor, whose labours tend, under God's blessing, to diminish human suffering and human guilt, to purify society from crime, to implant the love of truth and uprightness, to repress injustice, to encourage mutual confidence, to discourage vice, to promote true morality: whose efforts, in a word, reach to the spring of happiness, the affections of men, and lead them inwardly to hate what is evil, and cleave to that which is good. The increase of earthly comforts belongs to commerce; the enlargement of the sphere as well as the resources of mental activity is the aim of science: but the subjugation of moral evil, in all its forms, and to whatever extent, is the province of religion alone. Happy are they who contribute to the inferior good in society. Thrice happy, they

whose work is directed towards the true and lasting prosperity of the immortal soul.

The two Memoirs whose titles stand at the head of this article, and which, as far as we know, are the only independent memoirs of Mr. Kiernander that have been written, are to say the least, very unsatisfactory. Mr. Carne has presented to the world three volumes of "Lives of Eminent Missionaries," and we hesitate not to say that if each life he has written, contains the same amount of error, that may be met with in the life now selected, we deeply regret that they were ever published. Mr. Carne chose a noble theme to dwell upon, a noble subject to evolve; but while we can admire the idea which suggested his labour, we only mourn over this specimen of it, as an egregious and injurious failure. Mr. Carne, as a Christian man, could not intend directly to blast the character of any of his brethren; but in the memoir before us, he has unintentionally loaded the memory of a devoted missionary with undeserved reproach, and brought disgrace upon his name. Had the evil stopped with Mr. Carne it might have claimed less notice, but it has not so. Unhappily his memoir has been looked on as an authority, and in no less than five standard works treating upon missions in India, we may distinctly trace its evil influence, and see perpetuated the injustice which Mr. Carne had begun. To such an extent has this been carried, that by some Mr. Kiernander is looked upon as an outcast from the missionary work, and his long course of faithful labour is reckoned as having had no existence at all. This is a great evil, and that it is a groundless one we are fully prepared to shew. On a close and careful examination of Mr. Carne's memoir we have formed a decided yet calm judgment, that it is quite unworthy of the credit which it has received, and that the conclusions to which it leads are quite unwarranted by real facts. The biography itself too, is very unlike what a Christian biography should be. It is a strange mixture of fact and fiction, full of mistakes, which might easily have been corrected by reference to books of history, and to missionary Reports. It is written in a highly imaginative spirit. Hence brilliancy and fire spurning the dull detail of plain fact (most interesting though it be) have produced strange and fanciful results to which realities do not answer. They have run together for instance, years widely separated in the course of time, mixed up dates and facts having no connection, given a high colouring to sober statements, and exaggerated not only the good but also the evil. It is from this tendency of the writer's mind that many things appear in the memoir which

excite a smile, not to say that they utterly destroy its credit. Thus, "the conqueror of Plassey" is ever attended by a "brilliant court;" Calcutta is surrounded by "mountain villages" "the hamlet and the wild:" "Elegant houses, shrubberies and lawns" spring up like mushrooms, while Clive is there; while "people of talent" "perpetually" arrive to inhabit and enjoy them. Chinsurah is embosomed in scenery "of a rich and tranquil character," the banks of the Húgly there, under Mr. Carne's magic touch, become "lofty and precipitous;" and Chandernagore lays open—before the reader only—its "wild and impressive scenery," "its deep and lone ravines." These expressions, we assure our readers, are found in Mr. Carne's book, and they furnish a specimen of his fidelity. Were there no books of travels open to his inspection, previous to the year 1832, by which these imaginary views might have been corrected? But the whole "life" is of the same kind: every thing is embellished, every thing overdrawn: even what is true is so disguised and dressed up, as scarcely to be recognised. It is sad to see such things, and to say them of one who comes forward as a director of public opinion. But the subject is one of moment: and truth demands a clear discussion. Mr. Carne should have paused and weighed again and again the evidence adducible for those facts, on which from the outset of his "life" he brands the character of a missionary with hypocrisy and apostacy. In this matter we argue under some disadvantage, for Mr. Carne's views are known and have been adopted. His account has been received: the counterfeit has already passed for current coin. But that it is counterfeit still, there is ample evidence. Mr. Carne's narrative occupies 20 pages, 12mo., and in this short space there are no less than *forty-five errors of fact*, which might easily have been corrected. To some of these we shall draw the attention of the candid and impartial reader.

If Mr. Carne's memoir is full of errors, that in the Asiatic Journal, is not less so. It was evidently written by one who had formed but a low estimate of the usefulness of missionary labour, and thought that true religion and worldliness are not inconsistent with one another. It abounds in exaggerations and most extraordinary mistakes in dates. While evidently possessing one or two original sources of information, the author has made little inquiry by which he might illustrate the facts drawn from them. The memoir is valuable for three or four facts, not found elsewhere, and given upon the authority of those who knew their truth: some of them not only the contemporaries of the missionary but also his correspondents.

No systematic attempt has been made hitherto to refute these mis-statements in detail. Materials have not been wanting, but they require to be searched out, and it is because on examination we have found them full of profit, and have learnt the amount and depth of the mistakes current concerning Mr. Kiernander, that we have given his history a place in these pages. It is a history full of interest. Connected with the early growth of religion in Bengal, not only in native, but European Society, it furnishes many lessons illustrative of the wise guidance of the providence of God; of the value of that faith which he preached and taught for more than 50 years, and of its power to redeem even the degraded heathen of this land.

It may be useful to enumerate the sources from whence this sketch is drawn. In 1802 there was published in Calcutta a small volume of "Ecclesiastical sketches in Bengal," by Asiaticus, apparently drawn up with very great care and possessing very high authority. In this work a chapter is devoted to Mr. Kiernander's labours, and in all that relates to Bengal, the facts brought forward are fully corroborated by other sources of information. This little work is evidently the basis upon which Mr. Carne's life was laid, and had he adhered to his authority, his work would have been different to what it is. Again, many most interesting facts are found in Bishop Corrie's "Sketch of the progress of Christianity in Calcutta," a work which has been appropriated by the Rev. M. Wilkinson, of Goruckpore, in his recent book of the same name, and that without acknowledgement. Need we add the Reports of the C. K. Society, as well as the recent volumes of Mr. Hough's "History of Christianity in India," so full of research and so marked by the spirit of the men whose story is therein detailed. Besides these valuable authorities, we have been kindly furnished with a few documents by the family of Mr. Kiernander, which go far to elucidate some of the more difficult portions of his history. Several years ago many other of the books and papers of the deceased missionary were in existence, but, they were unfortunately destroyed by insects during the absence from Calcutta, of his grandson under whose charge they were placed. By the help of these and other authorities which we have examined with some care we have drawn out the history which we now present to our readers. We have had no theory to prove, and no interests but those of truth to serve, in recording it.

John Zachariah Kiernander was born at Linkoping near Norkoping in East Gothland, Sweden, on the first of

December, 1711. He was of very respectable family. Two of his uncles were Colonels in the army of Charles XII, and fell at the battle of Pultowa in 1709. In after-time he was wont to tell his grandchildren the story of the battle and the part which these uncles had sustained in it. While a boy, he studied several years in the grammar school at Linkoping and was afterwards sent to the University of Upsal to finish his education. Not content however, with the advantages of learning afforded there, and being desirous of adding further to his attainments, when 24 years of age, he determined to visit the University of Halle. Having procured letters of introduction he proceeded thither and arrived at Halle in November 1735.

For one designed by the providence of God to engage in the work of a missionary, no place of study could have been more appropriate. At that period Halle was peculiarly the abode of evangelical piety. In no city in Europe was the Gospel so faithfully preached; and its holy truths so practically carried out. There, a deep concern was felt for the spiritual welfare of the ignorant, and exertions were made for promoting it. It was the place in which above all others, the missionary spirit was cultivated, missionary plans developed, and missionary operations carried on. All this had been chiefly owing, under God, to the labours of those two faithful ministers of Christ, Breithaupt and Augustus Herman Francke. Under them quite a revival of religion had taken place in Halle. The sweet spirit of love and gentleness, which broke forth in every word that Francke uttered, his earnestness, simplicity and deep devotion, had been the means of effecting an amount of good now scarcely to be credited. He had founded the Orphan House at Glaucha with its dispensary, its printing office, its vast accommodations for students as well as children, all intended to promote Christian education among the poor. He had established schools of the most efficient kind, as well for the higher as the humbler classes, over which he appointed men trained by himself, full of his own spirit, imbued with true practical piety and with the love of souls. The Canstein Bible Society, for spreading the word of God at a low price, the system of tract distribution, the Society for supporting evangelical missions, with other means of usefulness had been set in full operation. Who shall wonder then that Halle was the fountain whence flowed a thousand streams bearing with them spiritual health and life: that from its University many preachers went forth, not like the former clergy of Prussia, dead and formal in their work, but men, zealous to proclaim that Gospel which had first blessed themselves. Here too, Francke had trained for

foreign labour, men with the spirit of apostles and martyrs. It was by him, all the early missionaries in Southern India were educated and chosen. Ziegenbalg, Plutscho, Grundler, Schultze, and others, upon whose labours those of Mr. Kiernander were grafted, were all Francke's pupils. Where could he have found better pupils? Where could they have found a better master? The fragrance of their memory long remained in the scene of their studies, and its sweet influence was only strengthened by the tidings of their labour, patience and success which from time to time arrived.

When Mr. Kiernander arrived at Halle, its palmy days were over. Augustus Herman Francke and his devoted colleagues were dead. The first freshness of their success had passed away: but the institutions they had founded were in full vigour. The orphan house with 2,500 scholars taught by 160 students: its large and valuable library; the many schools, the Bible Society were all in operation as before. Gothilf August Francke, the son of the former Professor, and well known to the readers of Schwartz's life, was director of the Orphan House and a Professor in the University. He was carrying on his father's work in his father's spirit. In him also Missions found a faithful supporter. The Missionaries, sent from time to time, were his pupils, and he assisted their efforts by the most liberal contributions. At one time they were sustained almost entirely by the subscriptions which he forwarded. Schwartz, Gericke, Kohlhoff, Fabricius, all were from Halle. Looking at these things, who shall tell the debt of gratitude which Southern India owes to this single city.

Mr. Kiernander studied in Halle for four years, and was so esteemed by Professor Francke for his piety and attainments that, after being "for some time preceptor," he was appointed by him to the responsible office of "Inspector of the Orphan House." He was about to return to Sweden, when the Professor proposed to him in the name of the Christian Knowledge Society, that he should go as a Missionary to their newly established station at Cudalore in the Carnatic. The fact that M. Francke amongst his numerous pupils and teachers, of whom he had more than 150 under his superintendence, all well known to him and tried by him in various offices, selected Mr. Kiernander in answer to the Society's application, must surely be considered a very high testimony to his abilities and christian character. M. Francke knew well the qualifications of a missionary, and if we look at the men whom he had previously sent, and those whom he afterwards chose, we have the strongest reason to admire the spirit and judgment with which

he executed his task. Hence it was that thirty years after this, the C. K. Society in addressing M. Gericke on his appointment truly said, "Professor Francke is kindly pleased, on our application, to furnish us with proper labourers for the work of the gospel;....persons who have under him been educated in good learning and the knowledge of true religion; persons whom he hath tried in lower stations, and hath experienced them to be deserving of double honour and capable, with the blessing of God, of undertaking the more arduous labour of preaching the Gospel to the nations who know not God." That Mr. Kiernander, after some deliberation, accepted the proposal, at a time when Missionary labour was but little appreciated, speaks much in his favour: and that he was one of those to whom the words of the Society now mentioned fully apply, his subsequent Missionary career will we trust shew. He returned no more to Sweden, but was ordained at Halle to the work of the ministry, November 20, 1739, and immediately set out for London, to commence his mission. He here took up his abode with the King's chaplain, who was accustomed to receive all the Missionaries who visited England: by him he was introduced to the C. K. Society, who gave him a most cordial welcome. He sailed from England in the "Colchester," at the close of the year, and, he the Missionary of peace, arrived at Cudalore in the spring of 1740, a year after Nadir Shah had filled the North of India with all the horrors of war.

Before we proceed to narrate his further history, it will be well to consider the progress which had been made in the work of God previous to his arrival. The Protestant Mission in Southern India had at that time been established upwards of 30 years. It had enjoyed the labours of many most excellent and faithful Missionaries; it had met with many trials, difficulties and even persecutions, but it had grown strong and its numbers rapidly multiplied every year. The men to whose charge it had been committed were not lightly endowed; and had used their endowments in no sparing way. With prudence, energy, sound judgment, and in great simplicity of heart, with all their resources they had set themselves to seek the prosperity of their flock. By preaching and teaching, the establishment of boarding and day-schools, (one of which had been formed on the model of the Orphan House at Halle;) by the distribution of tracts and Christian books and portions of the word of God; by the exercise of a strict and impartial discipline amongst their converts: by constant conferences with the Heathen, they had brought their mission to a high state of

efficiency, gathered a large amount of wise experience, and prepared the way for increased labours and increased success. In 1740 the Mission was carried on at three separate places, Tranquebar, Madras, and Cudalore.

The Mission at TRANQUEBAR was then divided into two parts: in Tranquebar itself and the Danish territory there were eight Missionaries, some of whose names are widely known for the diligence, humility and zeal of the men who bore them. There was a Portuguese congregation of 285 members and a Tamul one of 1,003. Beyond the Danish territory, divided into six districts there was another Tamul congregation of 1,892. In the charity school they had upwards of 200 children. Since the commencement of the mission they reckoned about 6,000 converts; and of these nearly 2,000 had been admitted to the highest privileges of Church fellowship. A Branch from this mission had been fixed at Negapatnam, and constant intercourse was maintained with the Christians at Jaffna in Ceylon.

The mission at MADRAS had been begun in 1726, under the auspices of the society for promoting Christian knowledge, and had for many years been carried on by two of the most devoted missionaries that had arrived in India, Dr. Schultze and M. Sartorius. They were both scholars, and were both thoroughly acquainted with the native languages. Dr. Schultze excelled in a knowledge of Tamul, Telugu and Hindustani; M. Sartorius in Tamul and Portuguese. Like their brethren at Tranquebar they employed all the means in their power for the spiritual good of the native population, and like them were permitted to see their labours largely blessed. Up to 1740, i. e. in fourteen years they had been joined by upwards of 700 converts; the majority of whom, though natives, had been Papists. Of these 100 were communicants.

And let it not be supposed that the large number of converts already made in these two missions, were such only in name. Though all were not well-informed and consistent Christians, many were so. The Missionaries and Catechists were most diligent in faithfully instructing their flocks and administering among them Christian discipline. "They gloried not in the number but in the reality of their converts, wherein they found themselves obliged to use, both for conscience and prudence sake, the utmost caution, lest their good should be evil spoken of, and for fear of admitting into their congregations any such impostors, unbelievers or immoral persons as might offer themselves,....from worldly motives." Many proofs are given in their reports of the faith and piety of these Christian natives,

many examples of consistent Christian virtue, and many instances in which persecution was borne with patience and submission. Many a happy death-bed scene is described, in which even female converts have expressed their enjoyment and realization of the consolations and hopes of the gospel. And besides all this, through their preaching and the spread of the word of God, missionary influence was felt, and the aim of missionary labour understood, even beyond the sphere to which it was more immediately confined.

CUDALORE, to which Mr. Kiernander had been appointed, was in many respects well adapted for an influential Missionary station. It is the chief town of southern Arcot, and is situated on the coast about twelve miles south of Pondicherry. It was then very populous, and a place of considerable trade. Though now built on both sides of the Penar River, the town was formerly confined to the south side, and contained several broad streets and commodious houses. It was fortified on all sides except the East, where it was quite open. For there the river which in its course passes a short distance from the town on the north side, before reaching the sea, suddenly turns southward, skirting the town on its east side. A bank of sand separates the river from the sea, upon which lived two villages of fishermen. The river is navigable only for boats and has a bar across its mouth. About a mile to the north of Cudalore was Fort St. David, then the strongest fort in the possession of the East India Company. A territory larger than that of Madras, was under its control, containing not only the town of Cudalore, but three or four large villages. At a short distance on the west was the large Pettah and fortified Pagoda of Trivada with a considerable population. The advantages which Madras and Cudalore, possessed from being within the Company's territories were early pointed out by Ziegenbalg. He said that the security it enjoyed, and the great influence exerted by the English would form an excellent social safeguard to the stability of missionary operations. Not that he sought for Government interference, but he knew that under English law, those labours could be carried on in peace, and that converts would not be exposed to inprisonment, persecution and death.

The steps which in the providence of God, led to the establishment of a Mission in Cudalore are clearly traceable. Its name constantly occurs in the early Missionary reports. When a journey was undertaken by one of the Tranquebar Missionaries, whether for labour or for the renovation of health, it was often one of the places included in the tour. It was visited by Ziegenbalg as early as 1710, in one of

these missionary journeys. He visited it a second time in 1716: there he saw the Pagoda of Tripalore, and its heathen dances, of which he has left a description. On that occasion he established a Tamul school, one of the first, set up for natives in the Company's territory, and in it Aaron, the first native ordained to the work of the ministry, was educated. Through the want of efficient superintendence however, the school declined. In 1726 the town was visited by M. Schultze, then senior Missionary at Tranquebar, and there he preached in German, Portuguese and Tamul. A year or two after, upon establishing a Mission at Madras, M. Schultze re-opened Zeigenbalg's school above mentioned. Again in 1734, M. Sartorius on a journey spent several days in Cudalore, and so earnest was the application of the Governor of Fort St. David, and the other English inhabitants, for the establishment of a Mission, accompanied with the strongest assurances of pecuniary help, that M. Sartorius wrote to England urging the matter on the immediate attention of the society for promoting Christian knowledge. They agreed to found a mission there and authorised the Madras Missionaries to proceed to Cudalore to begin it. Accordingly in 1737 M. Sartorius and M. Geister went thither, M. Schultze remaining at Madras, and were cordially welcomed by the Governor. They at once cheerfully began their operations. They procured a house and ground in an advantageous situation, and invited the natives to visit them; M. Sartorius taking the Tamul department and M. Geister the Portuguese. The natives were at first very unwilling to hear them: but their reluctance was soon subdued. In the midst of their preparations Sartorius died after a short Missionary life of eight years labour. He was buried in the English burial ground at Cudalore, and all the English gentlemen there attended his interment. His death was a severe loss to the infant Mission, for he was so eminently qualified to carry it on. Even the learned natives declared that he spoke Tamul like a Brahmin. But the providence of God sometimes deals thus mysteriously with the plans of his servants, to teach them the important lesson that in the work of redemption, He is the great agent, and that it is upon Him, not upon perishable men, they should rely in their labours. M. Geister was not discouraged, he continued his preparations, had much intercourse with the natives, encouraged them to see him privately, and opened a Portuguese school, where he taught reading, catechism and prayers in Portuguese. He was also just completing substantial buildings to accommodate two missionaries and two schools, when Mr. Kiernander arrived.

The new Missionary entered upon his work under many advantages compared with some of his predecessors. Much experience had been acquired, the benefit of which he received not only from Missionary letters and journals, but the practical advice of his colleague. Such help is by no means of small value. Stores of materials also had been already provided for his labours by those who had come before him. The excellent Tamul grammar and dictionary of Ziegenbalg; the complete Tamul Bible (partly the work of Ziegenbalg, partly of Schultze,) the Portuguese Bible, many tracts, many school-books, in Tamul, Portuguese and Telugu, with which the Missions were now well provided, were all open for his use. Those who are in circumstances where these materials of Missionary labour are wanting, will know how highly they ought to be prized. He was himself endowed with excellent qualifications of head and heart. He had studied for many years, was of prepossessing manners, and an excellent preacher. He brought to his work great zeal, and an earnest desire to give himself wholly to the Missionary cause. In carrying out plans of usefulness also, he was no novice. He had already acquired much experience at Halle in educating the young; he had witnessed systematic efforts for the distribution of the Bible and of religious tracts. These plans, so suited in themselves to do good, and hence employed in almost all ages and all lands by the servants of Christ, he found in full operation when he arrived, and as far as the details of missionary reports serve us, he seems like his brethren, to have employed in them the resources of his well furnished mind. In public preaching, both in the Tamul and Portuguese languages, in instructing Schools, in itinerating amongst the villages, in catechising his flocks, in holding conferences with the heathen, he soon began to take a full share of labour. Thus he took his place amongst his brethren, and thus his work fitted on to, and formed a part of, that system of operations, carried on in Southern India for the conversion of its inhabitants. No man can live independent of others; who, wherever he goes is surrounded by his fellowmen. They are influencing him in a thousand ways, and he is imperceptibly, perhaps, influencing them. Such is the law to which all living beings are subject; and it is when we consider the qualifications of men, the sphere of their labour, the way and the degree to which they influence their fellows for good, that we learn how far they accomplish the end for which the Providence of God sends them to a particular spot at a particular time. To draw out these facts, to trace their working and mark their results

appears to be the true aim of a biography, and it is with this view alone the details above given are introduced.

After much difficulty, Mr. Kiernander and his colleague opened a Tamul school under a Christian schoolmaster. At first it contained eight boys, "sons of merchants and tradesmen in Cudalore;" but in 1742 it contained forty scholars. They opened also a school for the Portuguese, which at first contained five scholars who were taught and maintained gratuitously. In this, as in other Missionary schools, the children were taught some useful trade to enable them to support themselves when they left school. In the same year they baptized six heathen converts and admitted two romanists into the church. They also administered the Lord's supper for the first time when nine natives were admitted to the table. Next year (1743.) M. Geister was compelled by ill-health to return to Madras. This so far from dispiriting his colleague, only led him to devote himself with fresh energy to the work of the mission. He applied himself diligently to preaching, and "went into the villages twice a week with the Catechist" (of whom he speaks in high terms) "to visit the new Christians and to make known to the heathen the way of salvation." He had also two efficient schoolmasters, and with these assistants, though the work did not go on quite so fast as he desired, it still made a steady progress. In 1743, he had 97 members in his Portuguese and Tamul congregations, of whom forty-four were communicants. In 1744, twenty-two members were added, fifteen of whom were Tamulians; next year, forty five: the following year sixty-five. Thus had he the pleasure of seeing his efforts practically useful. During these years, he had many tokens of the kind remembrance of his excellent preceptor at Halle. In 1741, "the mission library was increased by a donation of books from Professor Francke." In 1742, he sent £250 to the three missions. In 1743, he sent the society "a most friendly and Christian letter full of good will to their missions at Madras and Cudalore," accompanying the letter with a donation of £250. Next year he sent £300 to the same stations: and in 1745 £200: upon which the society with thankfulness remark that "the remittances of Professor Francke toward carrying on this pious design have been large and constant." Such help greatly cheered the labourers to whom it was transmitted. But these supplies, though large, arrived irregularly, and Mr. Kiernander with his brethren was sometimes inconvenienced by the delay; "but the Governor and other gentlemen in Fort St. David's no sooner heard of his difficulty than they provided him with what money he wanted."

About this time (though the date seems lost) Mr. Kiernander married Miss Fischer, sister of Colonel Fischer in the Madras army, a lady of eminent piety and of considerable wealth.

It is not to be supposed that Mr. Kiernander found his work free from difficulties. Doubtless like all his brethren he had experienced that it is "through much tribulation we must enter the Kingdom of God," and that "the carnal mind is enmity against God." But in 1746 a special trial fell upon the two missions at Madras and Cudalore, which threatened the extinction of both. Pondichery and Cudalore were too near each other, to allow the French and the English who respectively held them, to live in terms of amity. M. Dupleix, the Governor of Pondichery, had for four years been making great preparations for an attack on the English Company's territory, and during the whole of 1746, both parties were in momentary expectation of a collision. The fleet of Labourdonnais arrived off Negapatnam in July of that year, and on the 20th September after a bombardment of five days took possession of Madras. Though a treaty of capitulation had been agreed to by him, M. Dupleix set it aside, and in January 1747, half the Black town, including the mission house and premises, was entirely demolished, while the church was turned into a magazine. The missionary, M. Fabricius, upon this retired with a large number of his flock to Pulicat, where he was kindly received and protected by the Dutch Governor. Having got possession of Madras, M. Dupleix determined to seize Fort St. David likewise, and, within three months, made three unsuccessful attacks upon it and Cudalore. The constant arrival and departure of troops and ships, with these attacks on the town, (repeated for the fourth time in June 1748 as unsuccessfully as before) necessarily disturbed the ordinary course of missionary labour. Mr. Kiernander wrote to the society that "the confusion occasioned by the war was very great:" he, in consequence, sent his family and the mission property to Tranquebar. M. Geister had joined his colleague again, and was a second time compelled to leave him, but Mr. Kiernander remained, and laboured diligently for the good of his flock amidst surrounding dangers. In this he experienced, as he wrote to the society, great kindness from the Governor of the Fort, Mr. Hind, a man of sincere piety and excellent judgment. But in the midst of the confusion the Governor died and his death was reckoned by all as a great public loss. Still in these "troublous times," the faithful servant of God found his labours increasingly blessed and his prayers answered. At the close of 1746 he had in his

two congregations 180 souls, and forty-four children in his schools. To these, the following year were added 167, making his congregation, at the close of the year, 361; a remarkable increase at a remarkable period. In the letter in which this report of the station was made, Mr. Kiernander dwells on the great importance of schools as a means of introducing Christianity among the heathen. This had become a growing conviction amongst the missionaries in South India. Only the previous year the missionaries at Tranquebar had particularly recommended schools as the most likely means to propagate Christianity, adding that "the heathen natives are many of them so civil, and fond of having their children taught, as even to contribute towards building the necessary school houses." There was indeed much reason for this. If we look at the Report of the schools up to this period, we cannot but notice, that the number of scholars receiving education is very small in proportion to the adult heathen who had been baptized. These may be reckoned by thousands, while the educated children may be numbered by tens. It was a happy change, and a sign of growing experience that they now received a larger share of attention, and that good masters, sometimes Englishmen, were appointed as their teachers. Still greater improvement might have been made. And it is owing, we fear, very much to the comparative neglect of this important branch of missionary operations, among Christian converts especially, that these missions which began so well, are so imperfect in more modern times.

During the war, Mr. Kiernander's supplies from Europe, including large donations from Professor Francke, were detained for four successive years together. In the end they arrived safely; but meanwhile, his friends in the Fort and at Cudalore, from whom, and especially the Governor, he received "extraordinary kindness," gave him ample and opportune assistance.

M. Breithaupt, a missionary, who had been appointed to Madras, now joined Mr. Kiernander for a time in his labours. Having a thorough knowledge of Tamul, he was an efficient colleague: and their united care so increased the congregation that they proposed to build a Church. This however, was unnecessary. The Romish priests during the war had paid much more attention to politics than to Romanism: they had carried on many treasonable practices, and both at Cudalore and Madras proved themselves little better than French spies. This was the return they made for the protection they experienced at both settlements. In 1749 they were expelled by the government from both places and their property was confiscated. On the

25th of November an order of the council was passed at Cudalore by which their Church was given to the Society for promoting Christian knowledge. A similar order was made at Madras. The letter conveying the notice of the gift is published in the Society's reports, and had Mr. Carne searched those reports for even ordinary information he must have seen it, and could not then have unjustly charged Mr. Kiernander with causing their expulsion. It was entirely the act of the government, done for political reasons: the chief agent in it was Admiral Boscawen, and with it the missionaries had nothing to do. The day after the order was passed, the English, Tamul, and Portuguese congregations met at different hours of the day, and the church was solemnly dedicated to God. Thus did the Lord appear for his servants, to confound their enemies, to bring good out of evil and prosper His own work. In 1748 there were baptised 49 persons and the following year, 53.

In July 1750, Mr. Kiernander had the gratification of receiving into his house Mr. Schwartz and two fellow missionaries on their arrival from England. In a letter to Professor Francke, the tutor and friend of them all, Mr. Schwartz mentions this circumstance. "In the evening dear Mr. Kiernander received us and praised the name of the Lord for all the mercy he had shewn us." After a short stay of ten days they departed to Tranquebar. In a few months Mr. Huttemann returned to be Mr. Kiernander's colleague, and brought with him an able catechist named Rajaspen.

The war still continued in the Carnatic, the English and French leaguing themselves with the Native princes. The expedition to Debicottah, that to Trichinopoly, the seizure of the Trivada pagoda, and of the fort of Gingee, the siege of Trichinopoly by the French, the seizure and celebrated defence of Arcot, the fight at Arnee, the blockade of Seringham, the battle of Bahoor, all followed each other in a short time, while the marchings and countermarchings, the departure and return of the troops connected with Fort St. David only added to the confusion which already existed and kept the natives in continual alarm. And now the missionaries found the worth of their position in the Company's territory. The war confined them to Cudalore and its immediate neighbourhood; but here "they found ample occupation," and received grace from above, to labour zealously, and in submission to their master's will. "They had learned," as the Society expressed it, "how to possess their souls in patience under the most afflictive dispensations of his providence; how to do his blessed will and not their own; and how to resign and submit themselves to

the corrections of his fatherly hand with no less readiness than to obey his commands as their Lord and their God." They were much encouraged by the kindness of their friends around them, and sometimes received supplies and contributions from unexpected quarters. The Christians at Tranquebar, sent to those at Cudalore, two hundred dollars. A Jewish merchant at Madras, touched with compassion for the poor people who were suffering from the ravages of the Mahrattas also sent them a donation: an old pupil sent them one from a distance in token of gratitude: a German nobleman among the Dutch in Bengal sent them 200 rupees: and at one time when their funds were exhausted, they found twenty pagodas in their charity box. Mr. Carne says that Mr. Kiernander after his marriage "needed no benefactions, nor would he receive any." The gifts of Professor Francke mentioned above, the "extraordinary" kindness of the gentleman in the Fort, and these donations now detailed, furnish a sufficient answer to this statement: not to add Mr. Kiernander's thankful acknowledgements for them all.

Among their catechumens at this time were a number of Malagassies, who had been brought by the Company's ships. These were taught the English language and an English service was established for the benefit of them and others. The zealous labours of the missionaries in 1751 and 1752 were blessed to the bringing in of 194 converts. In 1754, the two colleagues were again greatly cheered by a visit to the mission from Messrs. Schwartz and Kohlhoff. It must have been very gratifying to them all, having felt so much in common at Halle as well as being now engaged in the same work, thus to see each other once more, and to commune with each other on Divine things. The notice of this visit in Schwartz's Life brings to light several interesting facts which are worth notice in this sketch. The visitors arrived on Saturday. They were met by their brethren some distance from Cudalore, and "having strengthened each other in the Lord, at the choultry, they proceeded up the river in a boat, and arrived safely at the mission house. There they united in prayer to Almighty God, laid their own wants and the general distress humbly, yet confidently, before him, and implored a blessing upon themselves, their brethren, and their work." They then paid various visits to the school-master, the catechists, the members of the congregation and the school. Several Christians came in from the country, that they might be prepared for the Sabbath service, and were addressed by both the new brethren. The next day Mr. Schwartz preached in Tamul and Mr. Kohlhoff in Portu-

guese. On Monday they again addressed the country Christians previous to their return home. On Tuesday they held a brotherly conference for mutual edification and encouragement. This was a common thing amongst the Missionaries. This day they meditated on Acts, X. 36, 37, and from that exhorted each other to courage in preaching Christ. For several days, they all preached together to the heathen and the Christians, including the catechists teachers and children. On the Friday they held the usual weekly conference of the labourers in the Mission: another plan established by Ziegenbalg and continued by all the Missionaries at their several stations. At this conference, after prayer, each labourer related how he had been employed, and thus, not only all their engagements but all their difficulties were made public, and each received the advice and encouragement which, in his own sphere, he might require. This weekly conference was regularly observed during all last century. On the day of separation, the four Missionaries again united in thanksgiving and prayer, and in the strength of their Redeemer, entered into a covenant to be his, to serve him with all their heart, and thenceforward with renewed energy to preach the Gospel to the poor Gentiles around them. "Now," said Schwartz, "the Lord has heard what we have spoken before him. May he give us light, life, strength and prosperity." The Cudalore brethren accompanied Messrs Kohlhoff and Schwartz a few miles on their way, and then separated, after a cordial farewell and wishing them abundant grace and blessing. Those who have been in similar circumstances, know how precious and how profitable such a visit, and such communion must have been. How well they were enabled, through the grace of God, to fulfil their "covenant," the story of Missions in South India clearly shews. They were all eminent in their work, and few more eminent than they.

In 1754, on the death of their Schoolmaster, a retired soldier named John Kerr, a sincere Christian, offered his services gratuitously in the school, and at the same time, hearing of the Missionaries' difficulties, he brought them all the little property he had saved, and offered it to them without interest till their supplies arrived from Europe. This good man "soon gave them convincing proof of his good abilities, diligence, zeal, and exemplary conversation in Christ."

"In the country around Cudalore, the progress of religion was somewhat at a stand through the circumstances of the times;" and the Protestant converts scattered up and down experienced much annoyance and persecution from the Popish

priests whose number and influence had been greatly increased by the presence of so many French Troops. "These priests," it is said, "filled every village with Popish emissaries who spread nothing but false stories and calumnies against the Protestant Missionaries." Their enmity was undoubtedly sharpened by the fact that many of the converts in Cudalore, and the other Mission stations had been brought by the light of the Gospel to see the errors of Romanism and to forsake its communion. Numbers thus became proselytes every year. Amidst all these difficulties, most trying to the faith of these indefatigable men, they laboured in a manner so satisfactory to the society, that they describe them as coming "no whit behind the very chiefest of their brethren in preaching the Gospel or in God's blessing upon it." They were "diligent in training up children in the nurture and admonition of the Lord; in preparing adults for Christian baptism; in preaching the word in season and out of season to all that would hear it; and in rightly and duly administering the sacrament of the Lord's Supper." In the absence of a chaplain, they performed such services not only for the native but also for the European community during the year 1756, and of Europeans they had 68 in their communion. As if some warning voice had shewn them the evil to come, they were more earnest than ever in seeking the salvation of the heathen around them. They "had many conferences with the heathen, on which occasions they never failed to exhort them to turn from the worship of idols, to that of the living and true God through the Gospel of his Son. Though the word of God did not take effect upon all, some were convinced and became disposed for further instruction, and that these converts might not be led astray, but continue grounded in the faith, they were repeatedly visited. To the Mahommedans also who came in their way, they laid open the impostures of the false prophet, and gave such as were disposed the new Testament and Psalter in Arabic." Their School had latterly been much interupted, but they kept up their school of industry for the support of the poor widows and orphan children. Since the commencement of the Mission, in 1737 they had been joined by above 850 converts.

Thus they went on till the year 1758. Rumours had not been wanting of a vast armament from France that was entirely to destroy the Company's settlements and drive every Englishman from India. The first division of this force under the Marquis de Soupires arrived at Pondicherry in September 1757: and the remainder was shortly expected. On the 28th of

April 1758 a French fleet arrived bringing the Comte de Lally, and his Irish regiment, with artillery men and cannon. That very night a large body of troops were landed, who began at once to ravage the villages in the most cruel manner. Many of the Roman Catholics fled to their church near the Governor's Garden-house, hoping for protection, as being of the same faith as their pursuers. But the latter were told, that these were the Protestant Christians and this building their church. Before the mistake was discovered, the whole were cut to pieces and the church razed to the ground. Meanwhile the Missionaries and their flock were safe within the walls of Cudalore. On the 1st of May, Count Lally himself and his troops, including 2,500 Europeans and as many sepoys, a large number of troops in those days, appeared before Cudalore, and summoned it to surrender. Preparations were made at the same time for besieging Fort St. David. That evening, in their distress and anxiety the Missionaries and their flock met together that they might cast their all upon the promises and help of God. The solemn service was interrupted by the entrance of the commandant, who said he expected the walls to be stormed every hour, and commending themselves, the garrison and inhabitants to the Lord of hosts, they retired. The next day, in the excitement and alarm with which the town was filled, hundreds of the natives brought their most valuable property to the houses of the Missionaries and filled them with it: an evidence of the confidence which even the heathen had in them. Cudalore was very weakly garrisoned, its defenders being chiefly sepoys; its walls too were not strong, and on the East side, it will be remembered it was open to the river and the sea. When the garrison therefore was summoned to surrender, Major Polier, the commanding officer, at once capitulated on the terms proposed by the enemy. Anxious to secure if possible the safety of the Missionaries, and their property, he advised them to accompany his flag of truce, and personally request protection from the French General. They accordingly went with the messenger, and found truly that in their sudden and fearful peril, friends were raised up for them both powerful and faithful. They safely reached the choultry, where Count Lally had taken up his quarters, and had no sooner stated their case, than M. Lally replied, that they as preachers of peace and concord had nothing to fear from his army; but that he would give strict commands to spare their houses, and hurt nobody in them. In order to accomplish this humane resolution, Colonel Kennedy, one of the officers, accompanied them on their return. When Cudalore was delivered up,

M. Lally stationed Baron Heidemann with part of his cavalry at their houses, to preserve them from plunder. They were thankful for such mercies, but being unwilling to take the oath of allegiance to the French, which they feared they would be required to do, they resolved to leave Cudalore, and retire to Tranquebar. They accordingly wrote to their brethren requesting them to send boats, for the transport of their families and goods.

On the day when the English garrison left Cudalore, Count Lally paid the Missionaries a visit. He spoke kindly to them, inquired about their country, their Mission, and its results, and having given them passports, furnished them with two country boats, to take away their property. For three days they were fully occupied in gathering all things together, and lading their boats with all they would carry. On the 6th of May all was ready. Hundreds of the natives, heathen as well as Christian, "brought them on their way, with wives and children till they were out of the city," and then like Paul of old when leaving Tyre, they "kneeled down on the shore and prayed," that the Lord would watch over the sheep now without a shepherd. With sad and heavy hearts they then departed, and in two days arrived at Tranquebar, and were received by their brethren "with great gladness."

The very day after their departure the Jesuit priests came from Pondicherry and were not a little mortified that they had escaped. They gave vent to their displeasure against the General in no measured terms, because he had not only let them go, but had also spared their houses, and the church, in the destruction of public buildings which now took place. Thus were the Missionaries mercifully preserved; nor were their prayers for their flock unheard. Many of them also left, and joined their brethren at Tranquebar and other places; while those who remained, were taken under the special protection of the Dutch President. The property they were compelled to leave behind was carefully kept, and when two years afterwards, on the restoration of Cuddalore to the English, Mr. Huttemann returned from Tranquebar, the Mission premises and Church were speedily put in repair, and made as serviceable as before. They lost however their valued and esteemed schoolmaster Mr. Kerr, who was taken as a prisoner of war to Pondicherry. In his imprisonment he endeavoured to lead his fellow-sufferers to the liberty wherewith Christ makes his people free. But the confinement destroyed his health: he died in prison, and was removed to that place where the wicked cease from troubling, and where the weary are at rest. He showed

his affection to the Mission to the last, by bequeathing it fifty pagodas.

The eighteenth century was, speaking after the manner of men, a period very unsuited to the rapid progress of Christianity in the Carnatic. The anarchy occasioned by constant and destructive wars, the confusion and distress which rolled over the land, wherever the Mahrattas on their swift horses hastened to plunder, the oft-recurring famines, the diseases, the strong tie of superstition, the power and influence of heathenism almost unchecked and therefore in its largest force, all tended to raise mighty difficulties in the way of the spread of the Gospel. But here we see how truly the goodness of God provides for an emergency the men exactly suited to meet it. Many were the Governors at Tranquebar, Fort St. David and Madras, who themselves fearing God, gave all the help in their power to the promotion of the cause of religion: constant were the supplies which were received for the support, and the continuance of Missions when established; so that in the face of opposition and discouragement, they were not only sustained, but enlarged; not only enlarged, but greatly and continually so; not only remained, but were eminently successful. Look at the men, who bore the burden of the day. And shall we not say, that as a whole, they were giant men, fit to bear the weight of the duties and the cares which fell to their lot, and able faithfully to do their part: giants, not in intellect, though many among them were learned and most able; but giants in that moral excellence which constitutes the peculiar charm of the Christian life, in those graces which only the servants of Christ can display; in depth of faith, and love, and zeal and Christian courage, and diligence and patience and forbearance, and stedfast resolution to do only good. Hence it was they stood prominently forward, and exhibited in their character and walk the noblest proofs of thorough consecration to the spiritual good of men. Many of them, even of the most devoted are all but unknown to fame; still "they have their reward:" but Schwartz, who besides his spiritual mindedness, and patient zeal, preeminently exhibited the character, of which it is said, "Let your conversation be without covetousness:" the meek and gentle and liberal Gerické, and Pohle and Kohlhoff and Breithaupt and Fabricius, in addition to those, the first founders of the Indian Church, are men "whose praise is in all the Churches."

The story of their toil is full of the most interesting and instructive lessons, and he who reads it must be cold indeed if he cannot thank God for the wondrous grace vouchsafed to that Church, in furnishing it with the noble men whose deeds it

records. It is a story so fraught with all that is solemn and yet practical in religion, relating to its consolations, its spread, its triumphs, even in the case of degraded heathen, that we question whether the history of any Mission in any country can furnish any thing superior to it. All honour be to the men who thus marched in the van of the great army to whom the conquest of this country, and its subjection to the King of Kings is entrusted. Their weapons were not the sword that hews down, the cannon that destroys: their sword was the word of God. No martial music roused them to the conflict; no shouts speeded their footsteps, or urged them onward with a false courage to their heavy toil. They were soldiers of the kingdom "which cometh not with observation;" and they were content to pursue their career, unhonoured, unobserved and oft despised. They sought not glory in fields, whence arises the wail of widows and of orphans: theirs were bloodless victories: for they came not to wound but to heal; not to enslave but to set free; not to destroy men's lives bnt to save them. All honour be to the men who thus marched, who bore the brunt of the conflict; but highest honours be given to the great Captain of their salvation, who so wondrously endowed and led and blessed them: and who in their example, and in the tale of their labours, has left such lessons of profit for the ages that have followed them!

Many of the Christians, we have said, accompanied the Mission to Tranquebar: they were received with a cordial welcome and all the Cudalore children were placed in the Tamul school. The two Missionaries claimed a share in the labours of their Tranquebar brethren. Mr. Kiernander assisted in the Portuguese department and Mr. Huttemann in the Tamul. While continuing these labours, Mr. Kiernander received an invitation from Colonel Clive to come and establish a mission in Calcutta. Colonel Clive had of course known the mission at Cudalore well, having been connected many years with Fort St. David. The fact of the invitation is we think an unprejudiced testimony to Mr. Kiernander's zeal and character as a Minister. Even worldly men who have no religion, readily judge whether a Minister preaches the word of God faithfully, and cease to esteem him if he does it otherwise. They may not like reproof, but it is an error to suppose that they will do aught but despise the man who fails to administer it rightly. The subject was laid by Mr. Kiernander before his brethren. As the immense force under M. Lally's command, and his various successes seemed at the time to warrant the inference that the English rule

would soon cease in the Carnatic and perhaps Missionary operations be suspended altogether, after mature deliberation, it was resolved, that he should endeavour to establish the Mission in Bengal. With the full consent of his brethren therefore he left them, and after a three weeks voyage arrived at Calcutta, September the 29th 1758.

Before we follow him thither let us remark that Mr. Huttemann, after an absence of two years and four months, returned to Cudalore, on its recapture by Sir Eyre Coote. He succeeded in gathering together many of his old flock; and being soon after joined by Mr. Gericke, the united exertions of these two eminent servants of God, soon brought the Mission to its former state of prosperity. After the taking of Cudalore for the second time, by Hyder Ali, in 1781, the Mission gradually declined. At present there is a Missionary stationed there, but its Catholic pensioners, its native schools divided by castes, its caste school-masters and caste teachers, with the small amount of religious instruction given, make it but the shadow of what it was in the times of which we have been writing. Little indeed does it now present that calls to mind the faithful men whose days and whose strength were spent within it.

The portion of Mr. Kiernander's life now related, occupies in Mr. Carne's narrative two pages and a half. In this short space there are no less than twelve errors of fact, and three instances in which an uncharitable judgment is given, not warranted by real facts. As we do not wish to bear false witness, we mention the following examples. Thus Mr. Carne tells us, "He was born at Akstad." Again: "at Cudalore he found a congregation, left by Sartorius, who had removed to Madras." Here are three errors in one sentence. It will be remembered that Mr. Sartorius died in 1738, and that there were no converts at all when Mr. Kiernander arrived in 1740. The gift of the Church in 1749, and the kindness of Admiral Boscawen, are mentioned before the history of the mission in 1745: and its prosperity in 1746 is described as a consequence of that gift. Mr. Carne again says that Lally refused to let Mr. Kiernander remain at Cudalore, and that in retaliation for the expulsion of the Jesuits, he permitted all the mission property to be plundered, so that Mr. K. saved nothing but "a few articles of wearing apparel." The different story of these events already related is given on the authority of the journals and letters of the Tranquebar missionaries; and is found in Dr. Pearson's admirable life of Schwartz. Another very great error is that Mr. Carne has placed Mr. K. at Halle under the tuition of the elder Francke. The same mistake occurs in the

life of Schwartz in the same volume and in Mr. Carne's sketch of the mission at Tranquebar. This is not a trivial error, as M. Francke died at Halle eight years before Mr. K. went thither, and nineteen years before Schwartz became a student. That these are mistakes may at once he seen by a reference to the Reports of the C. K. Society. We regret to add that though many other works of excellent authority were published previous to Mr. Carne's last edition in 1839, supplying ample evidence on the subject, Mr. Carne's mistakes remain unchanged.

By the writer of the biography in the Asiatic Journal, we are informed; that Mr. Kiernander was born in 1735, (the year in which he went to College); that he arrived at Cudalore in 1758 (after he had been there *eighteen* years): that Cudalore and Fort St. David were two different settlements distant from one another; that Mr. Kiernander did no missionary work at all at Cudalore; and that all Schwartz's converts were men who had no caste to lose!

We have said that Mr. Kiernander arrived at Calcutta, Sept. 29th, 1758. He found it a very different sphere from Cudalore, but one that needed the Gospel even more. He was no longer with a faithful companion in labour, holding constant intercourse with him, and assisted by his advice. He was alone in his work and though that work was in many respects the same as he had hitherto performed, yet the circumstances in which he was placed were of a somewhat different kind: and especially different from those in which missionaries of later days find themselves. These circumstances require to be looked at, before we can form a just estimate of his position, character and efforts. At the risk, therefore, of appearing somewhat tedious, we shall take a short review of what Calcutta was during his stay, in its physical aspect and its social condition; we shall add also a few words on its previous religious history, and trust that all will tend to put the labours and character of the missionary in a better light than that in which they have hitherto been seen.

Calcutta, when Mr. Kiernander arrived was but a poor beginning of what it now is. No villas in Garden Reach, no Botanical Garden met the stranger's eye to cheer him with their beauty after his sea voyage. Where these now stand the river banks were covered with jungle, and the jhíls and marshy swamps emitted their deadly poison in undiminished power. There were no dock-yards at Kidderpore, resounding with the clang of hammers, the sign of active and laborious toil. The Fort even, was but just begun: and the earthworks were being dug among the ruined huts of the village of Govindpore and

among the newly cut jungle that had been growing in luxuriance down to the water's edge. The river itself was all but deserted. There were no large ships anchored off the city; only small craft, snows, pinnaces and native boats were drawn up on its muddy banks. There were few ghats to land at, and no strand, save one quay in front of the river wall of the old Fort, where now the Custom House stands: while the little dockyard close by, more than sufficed for all the work required in shipping-repairs. The city was beginning to recover from the ruin which had befallen it, on its capture by the Nawáb two years before: for all classes had received their compensation and were endeavouring to render their houses habitable once more. The European portion of the town was compressed into a small space in the neighbourhood of Tank-Square then called the Park. Some of the houses in the square and along the river were large; but on the whole those inhabited by Europeans were few and mean. Then, and for several years after, Europeans kept the shops in the China Bazar, Radha Bazar and Murgihatta, even as far as the Armenian Church; while the Lal Bazar belonged to the quarter termed "respectable." The old fort remained not as the strength of war but as a depot for the peaceful pursuits of commerce. A large part of the north face was occupied by the Company's cloth godown; warehouses and officer's houses occupied other portions of its area, while gardens were formed upon the slopes of the ruined walls. Eastward, the town extended to the Mahratta ditch, along the Boitakhana and Durrumtollah roads: but Kálinga was a native village, and Chowringhi a "thick forest." The great plain was partly jungle, partly arable land, interspersed with huts; and across it, ran a single road branching off to the two villages of Allipore and Kidderpore, at which two mean wooden bridges carried it over the Nullah. Thus the European population were near together in what is now, the mercantile part of the town. Northward was the native town with the old Chitpore road as now in the centre. It was well peopled, though not so densely as at present, and contained many bazars. The houses were much mixed up with jungle, and surrounded by stagnant pools and all kinds of filth. The jungle on all sides of the city was very thick. During Mr. Kiernander's residence of 30 years, the town gradually enlarged; and towards the close of the Century more rapidly so: the Europeans extending southward and the native population becoming more dense. In 1785 there were garden houses at Allipore, Kidderpore and Garden Reach: Chowringhi too, had a line of houses, at large intervals: the old

Government house was built, and Esplanade Road was considered quite magnificent. But when Mr. Kiernander arrived it was, as we have described it, ruined and poor and mean; the beginning only, in every respect of what Calcutta is at this day, both as regards its outward appearance and its inward comfort.

At that time also, there were comparatively few Europeans living in Calcutta, and they were almost all connected with the Company's service: the majority having arrived with Colonel Clive two years before. There were scarcely any ladies, and as may be imagined, without their influence the order of the settlement was not likely to remain unbroken, or the rules of society to be closely observed. The Government of the city was not very complex. The Mayor and Aldermen held their little court, and the "Zemindar" superintending all the fiscal, as well as criminal proceedings, permitted his fellow Civilians, old and young, to devote their attention to their own and the Company's trade. The police was "deplorably bad," and it was much worse for a time after the Supreme Court was established. Money was plentiful, trade was brisk, and if for a while the habits of all were simple, in a short time luxury and extravagance produced their ripened fruits. It is said there were but two carriages at the settlement, one belonging to Colonel Clive, the other to Mr. Watts; but if this be true it did not long remain so. Shall we add, as not without its influence, that there was no printing press in the settlement for many years. Of the moral condition of Society during Mr. Kiernander's residence we shall speak hereafter.

The natives during the last century were not a whit better morally, than they are now. If any thing, they were worse, while undoubtedly many of the superstitious practices of heathenism were more openly carried out and less held in check than they are at present. They well knew the advantages connected with the Company's protection. The stability given to property, the general order of the settlement, and the toleration enjoyed, made them feel, that both their money-making schemes and their religion were quite secure. They found also that their rulers were in a great degree trustworthy and were not slow to furnish them with the means of carrying on trade. Hence it was they flocked to Calcutta in great numbers and amongst them some of the most respectable and wealthy families. But for all this their morals were very bad and their superstitions most cruel and injurious. During the period we have named, the dancing girls filled the temples, the car of Juggernath was covered with the most abominable figures: the Brahmans at the temples were, as now, licentious and covetous

" to an incredible extent." It was no uncommon sight to see " the fakirs, impudent beyond measure, extorting money by a torrent of obscenity and by the threat of curses which no " Hindu will incur." The rich were oppressors, covetous and proud; the poor, thieves, cheats, liars, and knaves; while the merchants, the traders, the Zemindars, were full of avarice and sought only to amass wealth by any and every means. How they could do it, the history of many Bâbus in the Company's Service at that day, fearfully shews. This conduct was the fruit of their superstitions, and the influence of these was undiminished. Human sacrifices were not uncommon both at Kalighat and the temple at Chitpore; victims were drowned in the river: Satis were constantly burnt, and cruelty and force were used to make them burn; sometimes the widow buried herself in the river's bank, waiting to be drowned by the rising tide; ghat-murders were committed with impunity; all classes were under complete subjection to the Brahmans, whose extortions for ceremonial impurity were without bounds; knowledge was forbidden: the Shasters were sealed books; processions, sacrifices and all the mummeries enjoined were rigorously enforced. Such was the power of Hinduism at that day. Some of these things have changed in Calcutta only within the last twenty years. What a barrier they formed to Mr. Kiernander's labours; and how needful they shew those labours to have been, may be easily imagined. We are happy to record that, in spite of all their degrading influence, some of the heathen were brought by his means to forsake idolatry and to confess the God of truth.

Of the state of religion among the Europeans in Calcutta in early times little is known. The Rev. S. Briercliffe, who was Chaplain in 1715, in writing to the Society for Promoting Christian Knowledge, speaks of the small number of Christians there, and the spiritual destitution of both the Natives and Portuguese: and points out the difficulties in the way of true religion and its propagation. The early charters of the Company had bound them to support a chaplain and school master wherever a European regiment was stationed: while the chaplains were bound also to qualify themselves to give Christian instruction to the Hindu and Portuguese servants of the Company in their own tongues. The remarks in Mr. Briercliffe's letter show how needful such instruction was. But it appears these rules were never carried into effect with respect to the Natives, though the English themselves sometimes enjoyed the benefit of public worship. Not long after Mr. B's letter was written, a church was built; it stood

near the North West corner of the spot on which the writers' buildings stand, and opposite one of the gates of the old fort at about 50 yards distance. It was a noble building with a lofty and magnificent steeple and was long the chief public ornament of the settlement. The church was not erected by the Company but by the voluntary contributions of prosperous merchants, and espccially of Captains, Supercargoes and other sea-faring men trading to the settlement. In those days it is said, gold was plentiful, labour cheap, and there was not one indigent European in all Calcutta. Some of the original contributors were Freemasons, and by their influence it was called St. Johns'. Intelligence of the event was conveyed to the Propagation Society in England, who in return sent a silver cup for the communion table as an expression of their satisfaction and good will. In this church service was constantly held. The President and all the Civil and Military officers of the settlement walked to it in solemn procession ; and in the absence of a chaplain, prayers and a sermon were read by some of the junior merchants for which they were duly paid. In 1732, a charity fund in connection with the church was founded by Mr. Bourchier, afterwards Governor of Bombay. He had built the Court House from his private funds; a spacious house of one floor where the Mayor's Court and assizes were held : and on leaving Calcutta gave it to the Company on condition of their paying annually 4,000 Arcot rupees toward this fund. A public subscription was raised for the same object and the interest of the whole applied partly for the support of twenty orphans taken from among the destitute children of Europeans, whether by European or native mothers, and partly for general charitable purposes. To this fund were added from time to time church collcctions and the fees for palls at funerals.

In the same year the Dutch and Germans at Chinsurah, (which some how or other is called Calicatta in one of the C. K. Society's Reports,) applied to the Missionaries at Tranquebar for a Missionary both for themselves and the Natives. M. Sichterman, the Dutch Governor, approved of the measure and promised his protection and encouragement to such a Mission. The request was forwarded to England, where it excited much interest, but there was no Missionary at Halle prepared to come. When afterwards three Missionaries were sent to Tranquebar, one of the older Tranquebar Missionaries was appointed to Bengal: but at the juncture, two of his brethren died and the matter was again deferred. The Europeans in Bengal however continued their interest in Missions and sent subscriptions to the Coast : an instance of this we have already

recorded. Five years after occurred the dreadful storm and earthquake, so memorable in the annals of last century, from the vast number of lives and large amount of property which they destroyed. The steeple of the Church in Calcutta "fell prostrate," though the body remained standing, and was not again rebuilt. In 1756, the Nawáb Suraja Dowla, completed the destruction of the building. Thus, in twenty years, two events happened, which joined to destroy all the ecclesiastical as well as civil records of the settlement. What the hurricane had spared was utterly destroyed on the capture of the city, and hence it is that we have but very few notices of the state of religion in Bengal previous to the latter of these events. In the year of the capture of Calcutta, we find two chaplains there, the Rev. Jervas Bellamy and the Rev. Mr. Mapletoft. Both took part in the defence of the Fort: the former perished in the Black Hole: and the latter died, a few months after, at Fulta, whither the fugitives had hurried. In 1757, the way was opened for more definite and more continuous religious labours than the settlement had yet received. Hitherto no great sense of security had been felt, the power of the English had not been known. But the re-capture of Calcutta, the fight at Hugly, the bombardment of Chandernagore, the battle of Plassey and the appointment of a new Nawáb, tended much to give stability to all English interests and prepare the way for measures of solid and growing improvement. Two chaplains, the Rev. Henry Butler and the Rev. John Cape arrived in 1758, and as the Old Church had been destroyed and affairs were not yet in a very settled state, a temporary Bungalow was erected for the purposes of worship within the battered Fort: hence its name "The chapel of the old Fort."

Such was the state of things on Mr. Kiernander's landing. Let us again return therefore to the story of his life. He was received very cordially by the two chaplains. Pleased with his proposals they at once entered into his plans, and aided him in collecting subscriptions for carrying them out. It is said that at this period, he appeared a man of ardent zeal, of great integrity, with a dauntless courage and decision of mind, while his talents were such as to inspire confidence that he would be able to carry out what he began. Colonel Clive also welcomed him. On the part of Government he appropriated a house for his use, (in which Mr. Kiernander lived eight years): and in token of his esteem shortly after stood as one of the sponsors to Mr. Kiernander's infant son. Mr. Carne mentions this incident in his memoir, noting as we have done that the child

was a *son*, yet in an after part of the same memoir the following passage occurs; p. 319. "If his little *girl* had but lived, what a comfort, what a blessing, he thought, would she now be to him.... Oh! if that dear, that *only child*, had lived, she would now have screened her father from the sorrows of the world, &c.!!" Shall we comment on this?

On the first of December 1758, Mr. Kiernander opened a school and very soon had in it forty lads; English, Armenian, Portuguese and Bengali,—some of them of from fifteen to eighteen years of age. The twenty boys supported by the Charity Fund were also placed under his charge. Before the close of 1759 he had admitted 174, and of these some had already left and gone to service. Out of this number, thirty-seven were maintained. They were all instructed in English, reading, writing, arithmetic and Christianity. In this first year, one of the lads, a Bengali, read through the whole English Bible, the "Whole duty of man," and a book entitled "Instruction for the Indians," which had been specially composed for this country. In reporting this gratifying beginning to the society, Mr. Kiernander expressed his hope that as the lads grew up, they would profess Christianity for themselves. In this hope he was not disappointed, as we shall subsequently see. His first two converts were a Papist and a Brahman; and in them he had an earnest of the success he was to have in future in the two classes of Hindús and Catholics which they represented. He was not alone in his labours. He had brought two assistants with him from Cudalore, and though one of them died, his place was more than supplied by the English Clerk of the Fort Chapel. Not desiring to give his time up altogether to the school, on the second of June 1759, he began a service in the Portuguese language. His congregation was at first but small, including his own family, some of his Cudalore congregation and his Christian pupils. He also distributed many books, in the English and German tongues, and sometimes preached at the newly established settlement of Serampore. He occasionally preached in English for the Chaplains: but by these various engagements his time was so occupied that he had no leisure to study the native languages and therefore wrote to England for two missionaries, one of whom might apply to Hindustaní, the other to Bengáli. During this year he baptised fifteen persons.

At the close of the year, a large and unexpected addition was made to his congregation. The Dutch expedition from Batavia, which arrived in October, had been bravely met and defeated by Commodore Wilson on the river and by Colonel Forde on

land, and 350 Dutch, besides Malays, were taken prisoners. Most of them volunteered into the Company's army, and Mr. Kiernander preached to them in German. At the close of the following year, the second year of his ministry, there were in the school 231 scholars of whom nineteen were girls, English and Portuguese; of these one-half were maintained, while some paid for their education. Mr. Kiernander supported forty at his own expense: and the funds needed for maintaining the rest were supplied by contributions in the settlement. In 1761 as his school-room was too small, from his own funds Mr. Kiernander fitted up a building which he used both as a Church and a school-room; and in it he held his Portuguese service. So blessed were his endeavours that not only did he baptise eleven in the year previous, but in this year twenty-four were added; and twenty-five lads, Romanists, declared it to be their intention to become Protestants. The priests took the alarm, and in various ways endeavoured to get his school-room taken away from him. But they signally failed: his hands were strong: his school prospered, another school-master from Madras joined him, and from among his former pupils several became his efficient helpers. The Rev. H. Butler, the Chaplain, also wrote to the Society in London, bearing testimony to the zeal and faithfulness of the Missionary and requested the Society to send him a colleague. Though Missionary work was new in Calcutta, in its growing influence upon many it already proved productive of good. In the decisive tone it at once assumed, and the energy with which its details were pushed on we can see the zeal and skill of an experienced hand. It is a curious fact, that the classical language, taught in Mr. Kiernander's school at this time, was the *Portuguese*. As is the English in the present day, so was the Portuguese then. It was in a great measure the medium of intercourse between English and natives. Though comparatively a miserable jargon and scarcely deserving the name of a language, from its admixture not only with foreign Indian words but with words of Dutch, French and English extraction, and having few terms expressive of science or religious truth, it had been taught and cultivated in all the mission schools in the Carnatic, as well as the Tamul. Hence Mr. Kiernander having taught it in his schools, having preached it in his congregation at Cudalore, and finding so many who understood it in Calcutta, not unnaturally employed it here. Missionaries in Calcutta of more modern times, have turned almost exclusively to English and Bengali; and with respect to natives, the plan has been, and deserves to be,

successful. But should any arise whose attention may be directed specially to that degraded class of Romanists from whom Mr. Kiernander had many converts, we may hear yet again of preaching and teaching conducted in the Portuguese language. We say nothing of the propriety of this, we mention only its possibility.

In 1761, Mr. Kiernander lost his two friends the Chaplains. Both died in the same year, within a short time of each other. He also lost his excellent wife, who had been the partner of all his troubles in leaving his old station; and had accompanied him to begin life as it were anew, in a strange city. She died on the 9th of May. He mourned her loss several months, but in February of the following year was again married to Mrs. Woolley, a rich widow lady of Calcutta. It is said she brought him a fortune of £25,000, which, added to his former wife's property and to a legacy which he received about this time from his elder brother in Sweden, raised him to comparative affluence. The use which he made of all this wealth we shall see hereafter.

The next year, 1762, a heavy calamity fell upon the school in common with the rest of the city: a dreadful epidemic broke out in Calcutta. Amongst others, the new Chaplain, Mr. Staveley, who, like his predecessors, had shewn great interest in the mission, died from it. Mr. Kiernander himself was seized with it and recovered; then relapsed and recovered again, in all six times: but finally was restored to health. The parents were afraid to send their children to school, and only 40 were found in attendance. When the disease passed away, however, the school filled as before.

In this visitation we see a specimen of those ills from which Calcutta formerly suffered most severely: but from which in a large measure, the Providence of God has, in these later times, delivered it. During last century, life in Bengal was much more precarious and short than at present. The narrow streets and filthy lanes of the city, much less cleansed than at this day, even though now they are bad enough; the filth that every where lay unregarded, the effluvia from stagnant pools, open drains, and the muddy creek which ran through the city to the salt water lake, bred diseases, which every now and then broke out in the most virulent and fatal form. Fever and ague, spleen and diarrhœa, liver complaint and dysentery and dropsy, all the long catalogue of sicknesses with which this land is afflicted, fell on the community, both European and native, with ten times the force which they now exert. Measures for the prevention of disease, were scarcely ever thought of; but

in this respect Calcutta was but like Europe. While the generous diet, the scarcely temperate habits of many, especially those of station and influence, the small close houses, the want of ventilation, and other means for cooling the atmosphere in doors; the dust, the malaria on every side, and a thousand other ills, all contributed their part in promoting disease and in curtailing life. Hence the great mortality which prevailed. Hence we read of a season (about 1689) in which, out of 1,200 British inhabitants 460 were laid in the grave, between August and the following January. Hence we read again of "the obstinate putrid intermitting-fevers" which from 1757 downward, were so fatal every year. We find "they began with the rainy season, and continued with excessive violence during it and for some time after." In 1768 "fever and flux" were "very fatal." In 1770, the year of famine, a dreadful fever with "a cold stage of twelve hours" carried off, it is said, 80,000 natives and 1,500 Europeans. Calcutta was not the only place thus visited. All Bengal seems to have suffered in the same way. We are told that "the force, which, under Major Kilpatrick, remained at Fulta after the capture of the city in 1756, out of 240 men, lost 210, between August and December of that year, by one of these epidemics." The ships lying in the river peculiarly felt the influence of the malaria. Hundreds of sailors were cut off in a few months, from the fleets which arrived. Even so late as 1809, it is said, "full three hundred sailors, i. e. a fourth of the ships' crews, die yearly at Diamond Harbour, from diseases incident to laying up the ships at that place." The great mortality among the troops, in former days, is well known. Fires without number burned in the settlement every year. They destroyed, it is true, much property, but they served to purify the city from some of its abominations. These diseases, of course, produced many changes in the community, and while felt much in important matters, were not without their discouraging influence on even a missionary school.

In 1763, a consternation of a different kind and from a different source threatened Mr. Kiernander's little charge again. The abuse of the transit duties by the Company's servants, their grasping cupidity and oppressive exactions, fastened on the people with a power from which they had no escape, threw the whole country into disorder. The resistance of the Nawab, and the battles with him, followed at last by the massacre at Patna, produced great alarm in Calcutta. The inward strength of the Company, arising from their European troops and the discipline of their native corps, the indomitable energy which

could meet all difficulties, and meet all expenses, were at that period all but untried and unknown; consequently, the security now felt under the Company's rule, was not enjoyed and confidence was shaken at the first appearance of an enemy. Mr. Kiernander, in speaking of these things to the society, adds, that he feared the mission would be destroyed. Not only did he find these contentions unfavourable to the exercise of Christian liberality among his fellow Europeans, but the natives were so exasperated against the Company's servants for their evil practices, that the missionary found them utterly unwilling to lend an ear to truths, which his fellow Christians heeded so little. He is not the only Missionary who has found the sins of Europeans a powerful barrier against the progress of the Gospel: and has had those sins retorted on him by natives as an excuse and colour for their own. Still he kept on at his work. Though the German soldiers of his congregation were obliged to march up the country, he was enabled to devote himself more fully to the natives, and he preached on the Sabbath twice in Portuguese. In the same year the Charity School was provided with a master for itself, and Mr. Kiernander had only to superintend it. This was a further relief, which permitted him to confine his attention entirely to his missionary duties. In consequence, the school and congregation became too large for his present building. Finding this, Mr. Vansittart, the Governor, who was anxious to assist the mission as far as he could, lent Mr. Kiernander a larger and better one, and supplied him with funds to repair and alter it. These kind offices were experienced but a short time; for Mr. Vansittart soon after returned to England. Among the converts in 1764 were three Malays and three Portuguese.

In 1765, Clive returned to the country, and in a few months peace and confidence were restored to all parties. Mr. Kiernander wrote to the Society that the worst was past, and begged them once more to send out more missionaries, as they might labour with success in so secure a station as he enjoyed. The German soldiers returned to their quarters and his congregation was again full. Thirty-five were added to his congregation this year, including twenty adults and fifteen children; of the adults, eight were natives of Bengal: out of a congregation of 150, nineteen were communicants. In his report to the Society, Mr. Kiernander bears testimony to "the improvement in character of all under his charge, stating that they were more devout at public worship and more careful in conforming their lives to the precepts of the Gospel." Next year thirty-nine were added, making in all, from December 1, 1758, to the close

of 1766, 189 converts. Of these, half were Romanists, one-third were children of Romanist parents, thirty had been Heathen, and one a Jew. The case of the last named convert, the Jew, was somewhat singular. In a voyage to Bombay he had been brought by sickness and the fear of death to feel the need of better comfort than the world gives; and had found such in the Gospel promises. On his recovery his impressions died away; upon coming to Calcutta, he was again sick, and again his impressions were renewed. He sought out a Minister, was directed to Mr. K., and under his direction reading the Bible, became convinced of the Divinity of the Son of God. He was baptized and continued a regular attendant in the Mission Chapel.

The Mission having been established eight years, Mr. Kiernander was now able to judge of its progress, and in a measure of its fruits. He had continued in Calcutta the same plans which he had seen at Halle, and had himself carried on at Cudalore; viz., instructing the young, preaching to adults, and distributing religious books. From his school he had received five teachers who were engaged with him in instructing others. Many lads had become clerks in offices, both public and private: by them truth had been spread, and if few had been converted, he hoped that the principles they had imbibed would make them in conduct better than others, and thus shew the usefulness of the Mission.

In 1767, the Mission house lent by Mr. Vansittart was required for the service of Government, and, as his plans were now fixed, and his congregation continually increased, Mr. Kiernander resolved to build a church for its use. We have said that his second marriage had made him a comparatively wealthy man, and the use to which he now put his wealth was to promote the cause to which his life was given up. The estimated cost of the building was 20,000 Rs. but, during its erection, several alterations were made, which added materially to this sum. The whole sum expended was 67,320 Rs. of which 1,818 Rs. only were given by friends. The death of the architect delayed its completion, but it was opened for worship, at the end of December 1770, and was called Beth Tephilla, "the House of Prayer." It is now usually called the Old or Mission Church, and remains, to this day, a powerful illustration of Christian liberality and a witness to the mission which the founder of it prosecuted. Though not so beautiful as the former Church of Calcutta, it is a substantial building, and at that time possessed the beauty of being the only Church. Its appearance when finished, differed somewhat from its present

one. In those days the good people of Calcutta painted the exterior of their houses: and amongst the prevailing colours not only yellow, but also red and *blue!* were conspicuous. In accordance with this custom the church was coloured red, whence its name the "Lal Grijah" or red church. Subsequently it had large white squares painted on it, to resemble stones. Mr. Carne puts the erection of this building four years after the proper period. It is strange that it was for many years the only church in Calcutta. The unsettled state of the times immediately subsequent to the recapture of the city had driven from the minds of the English settlers all concern about rebuilding the church which had been destroyed. Not that the funds were wanting. The Nawab Mir Jaffir had paid the restitution money for the church of St. John's; and besides this, Omichand's executor, Hozur Mull, had paid, in the deceased Babu's name, 25,000 Rs. for the same object. Both sums were invested in Government securities, and for the time added to Mr. Bourchier's charity-fund above mentioned. Meanwhile the little bungalow inside the old Fort was the only chapel which Europeans had to worship in for 30 years, except the Mission Church.

During the building of the Church many incidents occurred in the Mission, which only proved in a stronger degree the necessity for its erection. The court of the emperor Shah Alum requested from Mr. Kiernander some copies of the Psalter and New Testament in Arabic; he accordingly sent them; and finding afterwards, they had been well received, transmitted all he had. In 1767, twenty-six converts were received, of whom sixteen were Natives and twenty Romanists. In 1768, Father Bento de Silvestre, a Romish priest, who had been "a Popish missionary in Bengal upwards of fifteen years," and had "discovered the false zeal, hidden malice, and unwarranted doctrines" of Rome, resolved to forsake its communion. After much deliberation and earnest prayer, on the 7th of February he publicly recanted his errors and entered the Protestant Church. As he was well acquainted with French, Portuguese, Hindustani, and Bengali he soon became useful in the mission. He constantly preached in Portuguese to the converts and also visited a village, called Parull, said to be a day's journey from Calcutta, in which were 500 natives, Romanists, who had been his charge previous to leaving Popery. Besides these public labours he translated the Prayer Book and Catechism into Bengali. In June 1769 another priest named Da Costa, who had recanted his errors at Madras, joined the Mission congregation. These two events

so alarmed the Papists that a priest was specially sent from Goa, if possible, to seize the converts and make them retract. M. Bento however, gave a public answer to the Envoy, and had copies of his answer circulated amongst the Romanists in Calcutta: so that they became more acquainted than before with the reasons of his separation. The threats of the priest "did not in the smallest degree affect the Protestant Mission," and he speedily retired to Goa. It is to be noticed that a large proportion of Mr. Kiernander's converts were from among the Papists. These were chiefly Portuguese. This class of persons was, and still is, numerous in Calcutta, but they were then in a most degraded and irreligious condition. They had a church here as far back as 1700, enlarged in 1720; but the priests cared little to instruct their congregation and paid little heed to their morals. As soon as Mr. Kiernander's labours began to produce good among them, the priests were afraid and in all ways endeavoured to prevent his intercourse with them. They clandestinely baptized the children of mixed marriages; prevented the sick from holding any converse with the missionary: and in one case they forged a will for a woman who had renounced the Romish errors, with a view to get her property for their own faith; but the will was set aside in the Mayor's court. On another occasion they endeavoured to injure the Mission School by getting the house in which it was held, for other purposes. Mr. Kiernander however persevered. He distributed freely many tracts and books sent by the society for his use; and when the Portuguese who could read, requested portions of the Bible, they were furnished with them. These labours continued to be blessed. Many of these degraded Papists began to feel that it was their duty to inquire after truth; and seeking, found it. Thus the enemy which the missionary had found both at Cudalore and Calcutta was in both places foiled. In 1769, a Bengali who had been baptized by the name of Thomas, and who knew Portuguese well, was appointed a catechist, and with Father Bento preached to the Portuguese congregation. That year's report contains accounts of the happy deaths of several members of the Mission Church of both sexes. It must have been peculiarly gratifying to the aged Missionary to witness these proofs of the fruit of his labour. In this country apostacy and sin have often marred the name and profession of those who at first "did run well." But to find them amidst many imperfections stedfast to the end, and cleaving in death to Him whose faith they had embraced, is a rich though sad reward to the servant of God. Such was Mr. Kiernander's lot, and that, in cases not a few, not only in this but in other years.

It is mentioned in the same report that Captain Griffin by his will, after a few bequests, had left the residue of his property to the Mission, directing that it should serve as a fund, the interest of which was to repair the Church and to support two Missionaries or school-masters. The affairs of Captain Griffin were found to be in such confusion, that in the end not a single cowry ever reached the destined object.

The year 1770 was a peculiarly trying one to the Mission. It was the year of famine, and a season of great sickness. Before the famine and sickness came on, continual fires had destroyed large storehouses full of provision and had rendered thousands houseless. The awful desolation which swept over the land cannot be adequately described. Those who perished are reckoned by millions.* While multitudes perished, the Lord watched over his own : Mr. Kiernander in relating the calamity to the society, expresses his thanks to God that not only had he found enough for himself and his people, but that the Lord had given him the means of supplying others. At the close of the year, as has been mentioned, the Church was completed and set apart for worship. Henceforth two services were held in it on the Sabbath day, one in English, one in Portuguese ; and two in the week, on Wednesdays and Fridays, when the young were specially catechised. There were two congregations, the English and the Portuguese. The Portuguese was so named from the language which was used ; though it contained also the native converts. When these arrangements came into effect there were, of English Communicants eighty-five, and of Portuguese and Natives sixty-nine. During this year eleven adult heathen were baptised and fourteen Papists received. There were in the school ninety-seven Scholars.

* Our curious readers may be interested by a table of the prices of grain during that year, drawn from the unpublished Dutch records at Chinsurah. We call particular attention to the month of August :—

	Seers for one Rupee.	1769. Oct.	Nov.	Dec.	1770. Jan.	Feb.	March.	April.	May.	June.	July.	Aug.	Sept.	Oct.
Fine Rice		8	9	9¼	9	9	8½	8	7	4	4	3	5	7
Coarse ditto.....		10	11	11½	10	9½	9	8½	7½	6½	4¼	3½	11	16
Kolai		12	13	13½	13	12	11	10	9	7	5	4½	4½	4
Beans.....		13	13	14	14	13	12	11	11	8¾	6	5¼	7	10
Wheat		11	12	12½	12	11	10	9	2	6½	5	4¼	4½	4¼
Dál		11	12	12	11	11	10	8¼	7½	6½	5	4	4	4

These details of Mr. Kiermander's labour and proofs of its efficiency may appear to our readers somewhat minute and wearisome. We beg them, however, to remember that we have a particular object before us in this history, viz. the defence of a Missionary's character. These details are our evidence; and those who have read Mr. Carne's accusations will see that not one of our statements is unnecessary. We could have wished to curtail them but fear to render our argument incomplete.

The following year (1771) six adult heathen "who had been long under instruction, and in their lives and conduct were obedient to the Gospel," with six Romanists and many children, were joined to the congregation. It is also particularly mentioned, that the preaching of the Gospel in the English language had been the means of awakening some who had long ceased to care for their souls. Thus the Mission to the heathen reacted on the European and furnished an additional illustration of its practical influence upon all classes. During the year, the priest Da Costa died after a long illness. He had purposed to return to Siam, and in the scene of his former labours, preach the truth which he had now embraced. But sickness delayed his purpose, and it was the will of God to remove him before it was carried out. His loss was made up to the Mission by the recantation of two Romish priests, Mr. Hanson and Mr. Ramalhete. The former was a very learned man acquainted with eight modern languages. He had been priest at Bussorah; and there, by reading the Bible, had become fully convinced of the errors of Popery. When he came to Calcutta he sought out Mr. Kiernander, had much conversation with him, had his faith confirmed, and on the 1st of January 1772, in a most solemn service, publicly made his abjuration in the Mission Church. The Governor, Mr. Cartier, one of the Chaplains, Dr. Burn, and many other gentlemen were present on the occasion. Both these converts wished to be employed in the Mission; and, had they been so, would doubtless have added to its usefulness. But funds were wanting; and though Mr. Ramalhete was made a Catechist, and officiated very profitably while M. Bento was ill, Mr. Hanson became a writer in one of the Government offices. In the report for the year several remarkable cases of conversion are detailed. One is that of a woman, a native of Macassar, "who had an earnest desire after the knowlege of Christ and who received instruction with an open heart." Another convert was a papist, whose son attended the school and was accustomed in the evening to read the New Testament to her. By this

means she acquired some knowledge of Christianity and resolved to be a Christian. Other similar instances might be mentioned. The spirit of inquiry among the Romanists continued to spread: all were most eager for Protestant books; and there were two or three priests who, it was hoped, would embrace the truth. These things shew that the Mission was not a mere name, but was the means of spiritual good; and was flourishing while all around it seemed dead. At the close of the year there were ninety-six English communicants: in the Portuguese and Native Church one hundred and four, of whom nine had been admitted for the first time. In the school were ninety-four boys. The addition to the congregation during the year was forty-one, including seven Heathen, eleven Papists and their children. The only drawback to the Mission was the illness of M. Bento, which lasted many months. At the end of the year he renewed his labours in health. In 1773, additions were again made of fifty-five persons including sixteen adult Heathen and six Romanists. In writing to the society the report of the year, Mr. Kiernander dwells at considerable length, upon the desecration of the Sabbath in Calcutta by Europeans, at which he was greatly distressed. He shews from the word of God, how justly applicable the fourth commandment is to the heathen, as well as to Christians; and how they may be made to feel the force of its sanctions. He states that during all the time in which his Church was building, he had never allowed the Sabbath to be violated, and that thereby he had found willing workmen, and had received much respect. Would that all our countrymen paid greater attention to this important matter, requiring so much improvement even in the present day. The sabbath is one of the wisest institutions of religion; it is most intimately connected with its prosperity and increase, and has received the highest sanctions from God himself. Would that those who are called Christians, ceased by its violation to dishonour before the heathen that name which they bear! We trust that the recent order of the Governor-General with respect to its observance by those engaged in public works, will not prove a dead letter; and that all private individuals will scrupulously emulate the example which the Government are thus prepared to set.

In June, 1773, Mr. Kiernander lost his second wife after a six months' illness. Mr. Carne has said many things to this lady's dispraise, among other things asserting that she was "a young luxurious woman, who cared little for the souls of the Heathen," and who drew her husband from his work to revel in the pleasures of the world. One thing is very clear from the

Reports of the Christian Knowledge Society, viz. that up to the time of her death Mr. Kiernander had not in the least withdrawn from his labour, nor did he for many years after, if at all; on the contrary, as we shall presently see, the Society entertained the highest esteem for his diligence and faithfulness as a Missionary. As far as we have received any information concerning Mrs. Kiernander Mr. Carne's censures are made on very insufficient grounds. She is said to have been a woman of kind and amiable temper, and ever anxious to see those around her happy. On her tombstone (which Mr. Carne considers as reared for Mr. Kiernander's first wife) she is spoken of in the following terms: "From a life in which she practised every virtue that adorns the character of a Christian, it pleased Almighty God to take her to himself....in her age of forty-three years.....She departed with an entire though humble confidence of a happy futurity through the merits of Jesus Christ her Redeemer; having for some time desirously waited for the hour of her dissolution with that serenity of mind which a good conscience only can inspire." These things could not have been written of her just after her decease, had Mr. Carne's testimony been true. Mrs. Kiernander fully agreed with her husband in the exercise of that Christian liberality, the fruits of which we have already seen. And one proof that bears out the truth of the character recorded upon her tomb is this. She had for some time purposed to dispose of all her jewels for the benefit of the Mission, but had not found a good opportunity of doing so before she died. In her will, however, the purpose was repeated. The jewels were given to build a School-room. They were sold for about 6,000 Rs. and with them a house containing three large school-rooms able to hold two hundred and fifty scholars was built to the East of the Church, on the spot where now stand the Mission Church Rooms. They were opened in March 1774. In this building then we have another specimen of the use to which the wealth of the Missionary and his wife was put. We have already seen him supporting forty children at his own expense, fitting up from his own resources a house for the worship of his native congregation; building at vast expense a large Church, and now adding school-rooms to the same. We shall presently find a house added also. This Christian liberality was a distinguishing feature in Mr. Kiernander's character. The poor especially found in him a friend and helper. But while he sought to assist them in things pertaining to this life, he was wont more fully to direct the sorrowing heart to the source of all consolation, Jesus Christ. It is a saying in his family that at his door a poor man waited no

longer than a rich one. His gifts and charities, must have amounted to not less than £12,000. Would that in all this he had many imitators of whom it might be said "they have done what *they could*."

In 1774, fifteen adult Heathen and two Romanists joined the Congregation: of English Communicants there were seventy-six; of Portuguese and Natives ninety-one. A larger number of Bibles and Testaments than usual, received from Madras and Tranquebar, had been distributed among the Romanists.

We have seen that Mr. Kiernander feeling the importance of his sphere of labour, and that as he stood alone, the Mission might in the event of his death, fall away, had again and again written to the Society in England entreating them to send him a colleague. He had been now thirty-five years a Missionary, and had been in Calcutta seventeen years labouring alone. But in 1775 a colleague arrived, and with him Mr. Kiernander's two sons, who had been to Europe for their education. The new missionary was Mr. Diemer. Like Mr. Kiernander he had been educated at Halle, and had held office in the same Institution as his predecessor had done. He was described by Professor Freylinghausen as "a young man not only endued with a sincere piety toward God, but with such a measure of discretion and learning as might qualify him for the due discharge of the office of a Missionary." When he went to London and met the Committee of the Christian Knowledge Society, the President in addressing him upon his duties and labours in prospect said among other things; "In Mr. Kiernander, this society highly glory, accounting him worthy of every commendation, praising God for having been pleased to send them such a servant of his, so great a friend to religion, and of such a generous disposition; worn out by his continual labours, yet still of a cheerful and courageous mind, strengthened by long experience." We think this testimony to Mr. Kiernander is justified by the story of the labours carried on by him to this time. Mr. Carne has, however, we regret to say, fastened upon Mr. Kiernander at this very period the charge of neglecting his work and living like the world. Were this true, it is impossible Mr. Kiernander could have done what he did. The two things are so inconsistent with one another. The earnest and zealous manner in which he had pursued his work from the first, its steady progress and increasing success speak in the highest terms of his fidelity. Mr. Carne also represents that the arrival of a colleague (a fact which he puts twelve years after its proper date) was regarded as an insult and a disgrace. A disgrace! Why Mr. Kiernander had pleaded

again and again with the Society for fifteen years for a coadjutor. Mr. Carne says, "he felt his arrival exquisitely!" He did indeed, though in a different sense, and rejoiced over it. He thanked God and took courage, for he trusted now that if he himself were called away, his flock would not suffer. On Mr. Diemer's landing, Mr. Kiernander took him into his own house, where he remained till he married. He proved himself an active Missionary, was soon able to preach in English and occasionally visited Chinsurah and preached in German. Meanwhile in order to make the Mission as efficient as possible Mr. Kiernander pulled down his house near the Church, and rebuilt it on such a scale that it would be large enough for two Missionaries, as he designed that the Church, schoolroom and Mission house should be near each other. About the same time he built for himself a garden house at Bhowanipore, which he called Saron Grove. It is worthy of notice that after various changes, this house has again become the home of a Missionary: for it is here, the London Missionary Society has its Christian Institution. Native Christian girls there read a Bengali translation of the word of God, a book which Mr. Kiernander never saw. A native Church meets for worship, and hundreds of lads are taught in the English language, science, literature and Christian truth. What would not the builder of that house have given to see what our eyes behold, even in *one* missionary station, at this time. How much more would he have rejoiced to see in Calcutta that vast impression made by religious truth upon the native population, the beginning of which is justly attributable to his own unassisted labours!

With an increased number of labourers, the Mission continued to prosper. Fifteen Hindus and two Musalmans were baptized and twenty-one Romanists received into the congregation in 1775. Amongst the Hindús was Gones Dás, the Persian Interpreter to the Supreme Court. This intelligent native had visited England, had seen much of Christianity there and become well acquainted with its leading truths. After his appointment to the Supreme Court on its establishment in 1774, he frequently attended the Mission church, and at length determined to profess Christianity. He was baptized in June 1775, by the name of Robert. His sponsors were Mrs. Chambers, senior, Sir Robert Chambers and Mr. Naylor. At his baptism we see an instance, and we shall see others presently, of persons in the higher walks of society avowing their attachment to spiritual religion. Not that they do honour to Christianity by so doing; for Christianity is their own brightest ornament. But it is pleasing, at a time when

religion was unfashionable, when coldness, formality, and worldliness were so common, to see those whose station society respects, not ashamed of that faith which they had in heart embraced. "Not many wise, not many noble are called." But a few are, and well is it for the world when amidst the darkness which society often exhibits, some are found as lights in the world; proving by their example that religion, far from preventing men from enjoying the good of this life, is profitable to them in enabling them better to discharge its duties.

The catalogue of Indian worthies, whose excellence was displayed among the heathenism of last century is not a small one. Several of the Governors of Fort St. David and Madras, Sir Robert Chambers, and his excellent brother Mr. William Chambers, Mr. Charles Grant, Sir John Shore, Mr. C. Weston, Mr. Udny and others, were not only esteemed upright men in their worldly calling but exerted themselves for the promotion of religion. They saw in it not the firebrand which others deemed it, but the restorer of peace and spiritual health to the heathen. They freely avowed their conviction and hence the cause of Missions found in them real friends.

Besides the case of Gones Dás above mentioned, many other particular instances of conversion are given in the Society's reports. We should have been glad to transfer them to these pages: but from want of space, must direct the reader who wishes further details, to the valuable and interesting history by Mr. Hough. In a letter to the Society Mr. Diemer mentions two or three facts which furnish illustrations of the condition of the native mind in Calcutta at that day, and which may be well contrasted with present views and practice. Amongst them he relates the following: "The other day the leg of one of their bulls was broken. The beast was immediately surrounded by many hundred people and the Brahmans especially were very busy and much concerned for the bull: some brought him food, others medicine, and others ropes to remove him to a dry place. Thus was the sacred bull carried away with all possible care and every method tried to recover him." In 1776 the Mission had an accession of twenty-six Heathen adults and forty-nine Romanists: in the English congregation there were 148 communicants: in the native, 105. The school had eighty-eight scholars not reckoning many who had just left. During the ten years from 1766 to 1776 there had been added to the Mission 495 members, including the children.

About this time, Mr. Kiernander, at his own expense, enclosed a piece of land which he had previously set apart for a burial ground. He also erected seventeen houses for widows and

other poor of the Mission congregation. Two legacies amounting to nearly 1,500 Rupees had been put at his disposal for the poor; and these he invested in the public securities as the nucleus of a permanent fund for their benefit. The alms of the Church were devoted to the same object.

The Mission had been very prosperous hitherto, but, in the vicissitudes to which earthly things are subject, those placed over it now became unfit for duty. Mr. Diemer became consumptive and was compelled to retire for a twelvemonth to Chinsurah. He had recently married the daughter of Mr. Charles Weston, so well known for his consistent piety and unbounded liberality. Mrs. Diemer like her father was eminent in piety and sought, with a truly Missionary spirit, to be a fellow helper with her husband in the work of the Lord. Previous to her marriage she was very useful amongst the Romanists at Bandel, and during her stay in Calcutta was greatly beloved by the flock at the Mission Church. Mr. Bento was often sick and laid aside from labour: and at length Mr. Kiernander also lost his sight. Mr. Carne draws us a very striking picture of his condition. He tells us "he soon sat solitary in his spacious chambers. . . .all was taken save the converse of Da Costa and Hanson." The very quotations contained in Mr. Carne's work shew that Da Costa had died seven years before: and that Mr. Hanson had not been engaged at all in the charge of the Mission. Mr. Carne has quite misunderstood the position of affairs, as further details will shew. Mr. Kiernander at first could preach, but was eventually obliged to abstain from it. His eldest son, Robert, who had come out with Mr Diemer and was now about twenty years of age, had from the time of his arrival assisted in the school: and it was judged best by Mr. Chambers and others that during the present weak state of the Mission, he should read prayers and a sermon in his father's place. Application for help was made at the same time to Tranquebar, and two Missionaries came from thence successively to Calcutta to take charge of the native congregation; first M. Kœnig, afterwards M. Gerlach whom the Rev. D. Brown describes as a man of true piety and great learning. Mr. Ramalhete continued to officiate as Catechist. He was a very devoted labourer, and shewed the sincerity of his attachmment to the Mission, by doing its work amidst the severest privations. These various efforts to carry on the duties of the Mission were not in vain. The congregation continued to increase and improve. A short notice of it at this period occurs in the Life of Schwartz and may be quoted. Schwartz had heard

from Mr. W. Chambers concerning it and wrote in reply: "It is cheering to reflect on the externally devout behaviour of the congregation. O may the spirit of Jesus come on them like a rain, that the Bengal desert may become a fertile soil and fruitful field of the Lord!" In 1777, seventy-four were added: in 1778, seventy-five; in 1779 and 1780, ninety-five; and in 1781 there was an increase of thirty, amongst whom were eight heathen.

An event, which took place in 1780, though not immediately connected with this history, is worthy of mention, as it illustrates the state of things at that period. On Friday, March 24th, an awful fire occurred in Bow Bazar. It extended southward, caught even the Ján Bazar and went up to Kálinga. *Fifteen thousand* straw houses were burnt down, and 190 persons suffocated in the flames. This fire is described as "the largest that was ever seen in Calcutta." Thousands were rendered houseless, and died, especially children, from exposure. Other fires took place near the same spot in the following month.

In May 1781, Mr. Kiernander recovered his sight. The surgeon of an Indiaman, removed the cataract from which he suffered, and he was able to see with the help of glasses. Mr. Diemer's health too somewhat improved, and he again took charge of the school. In Mr. Kiernander's report to the Society it is noticed as an extraordinary thing that Lady Coote took great interest in the Mission; and during a short stay in Calcutta, regularly attended the Mission Church. He adds that her good example had produced a beneficial effect upon others. Next year, six adult heathen were baptized; the English communicants amounted to 149; the Portuguese to 109. Mr. Kiernander also completed the printing of the Portuguese Prayer Book.

In 1783, Mr. Robert Kiernander married Miss Morris, the daughter of Mr. F. Morris, formerly the Company's Standing Counsel in the old Mayor's Court. She was a young lady of pious deportment, and all her subsequent history exhibits prudence, generosity and consistency of conduct. A Lakh of rupees left her by her father, was settled upon her and her children. On his marriage Mr. R. Kiernander gave a donation of 3,000 rupees to the Mission poor-fund already mentioned; and Mr. Kiernander gave 1,000. About the same time the Rev. W. Hulse, Sir Eyre Coote's chaplain, presented 500 rupees to the Mission. This year the labours of the Mission were carried on without interruption in both congregations, and seventeen heathen of different castes were baptized. Mr. Diemer's health, however, compelled him to return to Europe.

It was in 1783 that the Moravians arrived to commence a Mission in Bengal, which was however soon abandoned: and in the same year the Military Orphan Asylum was founded on the proposal of Captain Kirkpatrick.

Let us pause for a moment to consider what had been the state of European society for several years previous to this, observing at the outset, that one proof of its improvement was the readiness with which the above proposal was taken up. We have already remarked that at first Europeans in Calcutta were comparatively few, and that the habits of society were comparatively simple. In trade, however, honesty was not the golden rule by which plans and efforts were regulated; and in this the civilians in the service set a most pernicious example. The love of money grew as it was fed, and it became the ambition of all to be rich speedily. The appearance of society soon changed. The money unfairly acquired was squandered in many instances without thought. Hospitality was practised by all; but dinners soon became "sumptuous." Extravagance was introduced into household expenditure; luxury and indolence got a firm footing at the presidency; and the young men especially ran into "excesses of dissipation." Ladies were ambitious of exhibiting fine dresses and jewellery: gentlemen were proud of their equipage; balls, races, theatrical displays and revels, with their attendant scandal, became common. But this was not all. Numerous vices, the offspring and companions of these things, followed in their train. Drinking and gambling had many votaries; and drinking and gambling led to quarrels and duels. With few ladies at the settlement, society in general was most profligate, and in this Hastings and Francis led the way. If such was the case in London, where princes of the blood royal set the example, and the manners of the aristocracy were debauched in the extreme, what could be expected in a foreign and distant settlement? The moral aspect of Calcutta was like its physical. Noisome tanks and odours bred disease and death to the body. But the many active vices of the age bred far more disease and ruin for the soul. This was the practice of society; and its opinions on religion were no better. Though profest infidels were few, a general disregard was felt toward all religion; the sabbath was openly violated to a fearful extent; and God's law knowingly broken. It seemed as though eternity was utterly forgotten in the pleasures and pursuits of time.

These facts exhibit to us the painful position in which Mr. Kiernander was placed. He lived when Calcutta society was

in its very worst state. He was not surrounded by faithful companions, who sympathised with his labours, gave him their help, joined in his rejoicings and bore with him his trials. But like Abdiel he stood almost alone "faithful among the faithless." He was even in a worse position; for while he preached the truth of the Bible to Romanists and the heathen, his fellow Europeans were defying all the laws of religion in their wicked conduct. Such practices had a most discouraging influence upon the missionary's labour. If they be not taken into account, we cannot fully realize Mr. Kiernander's work and appreciate his difficulties. His testimony for the truth amidst such irreligion was faithful and truly useful in its results. As he continued to preach to the English congregation, we notice with pleasure that it greatly improved. The number of communicants on the opening of the Church was eighty-five; but these increased gradually to 162, not reckoning the removals by death and other causes every year. At the same time Mr. Kiernander gathered around him a small number of men, such as those that have been mentioned, who were earnestly desirous of promoting the cause of religion. Some of them subsequently engaged in translating the New Testament. It would seem that whatever good men there were in Calcutta, attached themselves to the Mission Church. It is said of the Rev. D. Brown, that when he arrived in 1786, "he found in Calcutta a small body of pious Christians, and in a course of years had the happiness of discovering that in hidden retreats there were unthought of individuals, living the life of faith on the Son of God, and some who in utmost privacy exerted themselves to stem the torrent of evil around them by a good example in their own families." Much of this good may we think be justly traced to Mr. Kiernander's missionary efforts. But society in general shewed its improvement too. The English in Calcutta, as we learn from many testimonies, were always liberal in giving: but after his labours their liberality appears still more conspicuous. The subscriptions for the Cathedral in 1784 amounted to 1½ lakhs of Rupees. Large subscriptions were also given on the establishment of the Military Orphan Society in 1783; on that of the Free School Society in 1789; and of the Native Hospital in 1792. More decided religious improvement of every kind took place under the Rev. D. Brown and his friends, whose labours immediately followed Mr. Kiernander's. This improvement has continued to the present day: and will we trust never cease.

To return to the Mission. In 1785, after long sickness, Mr. Bento died: and thus Mr. Kiernander was left, at the age of

seventy-four and unfit for active duties, to take charge of the Mission alone. He engaged a teacher, Mr. Franzel, for the Portuguese congregation, and gave as much assistance as he could. He wished to return to Europe with his son, and had expressed his wish to the society; but as he could not leave the Mission without a head he remained. During the year, nineteen heathen were baptized and ten Papists received. In the English congregration were 162 communicants, and in the native 126. In giving this report, Mr. Kiernander remarks with pleasure that the Mission had been wonderfully cared for by God's good providence. So that the school and congregation had been all along regularly served and attended to as far as possible, and no part of duty had been set aside. In 1786, he baptized twenty heathens and received fifteen Papists. Writing of these things to the Society, he observes, that the increase in the congregations had not been so great as he could have wished, but expresses his thankfulness that the duties of both had been uninterruptedly attended to. He says that the natives were beginning to understand Christianity better: and, in a subsequent letter, expresses his conviction that "a glorious prospect was opening in the country for the success of the Gospel." That prospect was indeed brightening and of it we may judge from the progress of his own efforts. During the ten years from 1776 to 1786 the increase to his Portuguese and Native congregation was 518. On a careful examination we find that from 1758 to 1786, a period of twenty-eight years, he baptized at least 209 adult heathen; and received into the congregation 300 Papists. Of this number of heathen we are particularly informed; others are doubtless included in the report of those years wherein the origin of the converts is not specified. Two hundred and nine heathen, the majority of whom were Hindus and Natives of Bengal! When we read these things, let us join in those thanks which Mr. Kiernander himself so appropriately renders for the success of his work.

Next year, the year 1787, his part in the Calcutta Mission closed. Mr. Kiernander became bankrupt; and the sheriff in seizing his property, seized among other things on the Mission Church, House, School and Burying-ground. The circumstances under which the bankruptcy occurred are not widely known. Asiaticus says, "at the time they could not be accounted for and must now remain a mystery." We trust however to clear up the mystery in a measure, and that in a way somewhat satisfactory to the Missionary's character. The family papers give the following account, and the story which Bishop Corrie heard

accords with it. Mr. Robert Kiernander seems to have had charge of his father's property during his three years' blindness. An indication of this is found in *Hickey's Gazette* for 1780. He was very young and inexperienced, and was drawn by various parties, in accordance with the spirit of the times, into schemes for making himself rich. Of these interested parties some were natives. In 1782, he especially began to speculate in building houses, then thought to be a sure investment for money. Ready money was necessary to a considerable amount, and this was raised by bonds. To these bonds Mr. Kiernander put his name as security; and thus the safety of his own property depended upon the success of his son's projects. Mr. Kiernander had in his hand 80,000 rupees belonging to a ward of his. The ward married a worthless attorney, who at once demanded his wife's fortune, and refused to wait for it. It was shown distinctly that if he waited three months, all the houses, finished and unfinished, with the materials could be sold, and that after paying the above sum with all other debts two lakhs and a half would be realized for Mr. Kiernander's estate. He still refused, other creditors were alarmed, and the whole property was attached by the Sheriff. It was sold at a ruinous loss. The Mission property which cost 1,00,000 Rs. was valued at only 10,000; the house at Bhowanipore, which cost 30,000, was sold to Mr. Charles Weston for 5,000; and so on. No writ was issued against the person of Mr. Kiernander and his son. But as it was expected, they left the whole of their property (except that settled on Mrs. R. Kiernander) in the hands of their creditors and retired to Chinsurah.

Mr. Carne amongst other statements unjustly reflecting upon Mr. Kiernander's character, attributes these losses to his extravagance. He has said that Mr. Kiernander neglected his missionary work, mixed with the world, adopted their customs, set up a barouche and four, and gave large dinner parties. With respect to his work, his constant correspondence with the C. K. Society, the regular returns from the mission, the high testimony borne to him by the Society as late as 1773, the fact that his duties were never neglected, that many friends on the spot (and who could judge better than they of his labours?) gave him funds for the mission, that the English congregation, and the number of good men around him continued to increase; all these are evidence which lead to an opposite conclusion, and shew that even to old age, the interests of religion were those about which the Missionary was employed. Had he not cared for his flock, he could have left them, but he himself when seventy-five years old said that

he would not leave them without a pastor. Asiaticus says, "his zeal was great," and all that we read of his doings tends to prove it. With respect to the charge of worldliness, we can state distinctly, that though he was a wealthy man, there is no proof that his wealth was abused. On the contrary it was employed to further the cause of religion. Shall we speak again in his defence, of the charity school whose children he supported, of the gifts bestowed on the poor, of the Church, the School-room, the Mission-house that he built, and the Burial-ground which he set apart for his people? The customs of society must also be taken into the reckoning. There were in his time no hotels for strangers, and hospitality was general and proverbial. In a state of society like this (not unfrequently seen in mofussil stations to this day) all classes were much mixed up together; and, in point of fact, almost all Europeans were of the higher class, being civilians and military men. If Mr. Kiernander, a wealthy man, and possessing many excellent qualifications to make him esteemed, *had* mixed in general society, we do not see that *merely* on that account he should be blamed; all depends upon the tone of his conduct and the spirit in which that intercourse was carried on. We have positive testimony upon this point. A contemporary of his has stated distinctly, that "he lived modestly, and indulged in little more than the expenses befitting a respectable station; his hospitalities were not displayed in ostentatious banquets, but in a table at which the friendless scholar, the needy ecclesiastic, the disappointed civilian and the unsuccessful merchant were welcome guests." Asiaticus in order to satisfy himself about Mr. Kiernander made many inquiries within three years after his death, and puts his character in a most favorable light, adding "after most mature deliberation and minute examination, I am not conscious of having made any misrepresentation." In answer to his inquiries the gentlemen at Chinsurah who knew him well said: "Had he been capable of guile, he could not have displayed that serenity which always beamed from his countenance; his composed visage bespoke the tranquillity of a soul conscious of its own purity." The worst thing which Asiaticus hopes can be said of him is that "with Swedish vanity he drove a carriage and four." Here however we have evidence again to the contrary; and find the son's ostentation reflected upon the father. There is distinct proof from Mr. Kiernander's own papers that the carriage and four belonged to his son. "After his marriage he (Mr. Robert Kiernander) kept up a proper establishment and equipage." As collateral

proof we may notice that in a passage in *Hickey's Gazette*, Mr. Robert Kiernander is styled "the famous Phaeton-driver."

The real evil seems to be this. Mr. Robert Kiernander after returning to Bengal, engaged in missionary work, taught in the school, read prayers and sometimes even preached. But after this, and even while it was going on, he engaged in mercantile speculations. It was really he who was guilty of what is laid to his father's charge. Let good testimony have its due weight; and we do not fear that Mr. Carne's unjust remarks, given without authority, will fall unheeded. Mr. Kiernander, the missionary, however was not faultless. He encouraged his son, and continued him in spiritual labour while he was seeking the world's wealth. More than this he signed the bonds and thus put in jeopardy his property and usefulness; he may have done it also with the hope of adding to his own wealth. The Rev. John Owen, who was a chaplain in Calcutta at the very time of which we write, afterwards addressing a missionary in London upon his work in India, amongst other things said, "I knew two missionaries of excellent learning and in other respects of unexceptionable character, who were drawn aside by the suggestions of interested natives into such vexations as ended only with their lives." One of these missionaries we have no doubt was a missionary at Madras, the other Mr. Kiernander. While therefore we maintain that as Mr Owen says, he was "in other respects of unexceptionable character," in encouraging the schemes of his son during the last three or four years of his missionary life, he acted injudiciously. A missionary's character should be irreproachable. His work is spiritual and has a spiritual aim. He cannot then be too careful. Many eyes watch him and are ready to detect any inconsistency. Engagement in worldly concerns can never do him good and always may do him harm. "No man that warreth entangleth himself with the affairs of this life, that he may please him who hath chosen him to be a soldier." They that carry on spiritual warfare are subject to the same law. Mr. Kiernander we think was wrong, but let us remember, he was an old man, his son was entering upon life, and in Calcutta money-getting at that day was the one grand object of all classes. Let us remember these things and pray "Lead us not into temptation."

The Church, School and Burying-ground were seized, we have said, by the sheriff, and valued at 10,000 rupees. They were at once redeemed for this sum by Charles Grant, Esq., who had recently come from Malda, and joined the mission congregation. By him they were invested in trust for the use

of the mission and given over to the Christian Knowledge Society for this purpose. The first three trustees were Mr. Grant, Mr. W. Chambers, and the Rev. David Brown. Under the superintendence of these three Christian gentlemen, the missionary work was continued as before; the Portuguese and native congregation being under the charge of Mr. Franzel. Its remaining history is soon told. An urgent appeal was made to the Society to send out one or two Missionaries; but however willing they were to adopt the suggestion, they could not find men. Two missionaries indeed arrived, but neither remained long enough to be of any service to the native congregation. It therefore languished on: the changes which it underwent did not increase its numbers: while death and removals diminished them every year. Even in 1804 however there remained a small remnant, taught by a catechist, under the superintendence of the Rev. D. Brown. The English congregation found many friends, amongst them Sir John Shore; and under Mr. Brown's faithful preaching received many additions of men truly converted to God. But the native church became extinct, and thus the first Protestant Mission to Bengal, which had flourished well during thirty years, passed away, leaving no trace of its existence behind. But such we fear will always be the case with a Mission supported by individuals and not by an embodied Church. In the labours we have now been detailing, we must, in justice, consider Mr. Kiernander as acting almost alone. He came of his own accord to Calcutta, he received but a small amount of support from the Society in England; and collected most of his subscriptions in Calcutta itself. Indeed had the C. K. Society wished to devote large sums to the Calcutta Mission, they could not have done so. Their reports shew that their contributions were but small and given by a few individuals. Out of these they had to send supplies to Madras and Cudalore. Far from proving her missionary zeal, the Established Church as a body left the mission to languish; when the missionary was old and weak, did little in answer to his appeals, and at length "disheartened," abandoned it altogether. It is a remarkable fact, that notwithstanding so many German Missionaries went to London and met the Society on their appointment, not a single Episcopal Missionary (as far as we can find,) came out to India during the whole century. Yes, there was one, and he a few months after his arrival in Calcutta forsook his work to become a chaplain. All the Missionaries who came whether to Bengal or Southern India, were men from Germany, and chiefly Halle students. They have the honour

of beginning these Missions undivided. The English Church, though she gave her money, (and excellent and devoted were the men who sustained this branch of the cause) hitherto withheld her men: and it remained for men of other churches and without the prestige of rank, to be the first *Englishmen*, who from a genuine missionary spirit in the middle classes of English society, set themselves to establish missions in Bengal by means of the Bengali language.

But to conclude Mr. Kiernander's personal history. We have said that on the seizure of his property, he left every thing to his creditors, and went with his son and his son's family to Chinsurah. He was received very kindly by an excellent lady there, Mrs. Spiegle, and lived in her house, now destroyed, which stood in the garden at present belonging to G. Herklots, Esq. His son with his family lived near the south-west bastion of the fort. Up to the time of his coming to Chinsurah, religion had been but little attended to. There had been no regular Chaplain at the Dutch settlement: only a reader was employed, who, on the Sabbath, read a sermon and the Dutch Psalms. On Mr. Kiernander's arrival, therefore, the Governor, Mr. Titsingh, appointed him Chaplain, on a salary of fifty rupees per month. Mr. Carne tells us in very feeling terms of Mr. Kiernander's impoverished condition amidst the picturesque beauties of Chinsurah. But we regret to say, he is again at fault. In the wreck of the family fortunes, the Lakh of rupees settled on Mrs. Robert Kiernander was of course saved. This was invested in houses and yielded a good annual income, probably not less than 800 rupees per month; considering the high interest of those days. Upon this, the whole family lived very comfortably. Mr. Kiernander was fond of botany; and at Chinsurah had two gardens wherein he delighted to cultivate his favorite science. In 1790, Mr. Robert Kiernander died, leaving his widow with the care of six children, five boys and one girl. Upon his death she removed once more to Calcutta, with her mother Mrs. Morris, her sister and her children, and there endeavoured in the most exemplary manner to educate the latter. Some of them are living in Calcutta to this day. The old man however remained, provided with many comforts suitable to his age by his affectionate daughter-in-law. He was not alone, as he had many friends at Chinsurah. One of them who is still living, himself an eminent servant of God, cherishes a most pleasing remembrance of Mr. Kiernander, and speaks of him with the deepest respect. He often visited Calcutta, sometimes spending weeks together

with his grand-children, and they in return visited him at Chinsurah. He was always welcomed in Calcutta by his excellent successor in the Mission Church, the Rev. D. Brown. In 1793, that Church was enlarged and improved; a new chancel to the eastward being added. Mr. Kiernander was invited to be present and to administer the Lord's Supper on the occasion. He did so, and was rejoiced to find so large an attendance. Mr. Brown in writing of the circumstance to the Society in London, spoke of Mr. Kiernander's poverty; and the Society in return very kindly sent him a present of £40. About this time Mr. Kiernander's second son, who came out with his brother in 1775, and was an officer in the Company's service, died at Chinsurah. His voyage to India is mentioned in the Society's reports; and of his death we have heard from a living witness. In 1795, Chinsurah was taken by the English; and Mr. Kiernander became a prisoner of war. He however remained at liberty, and the salary given him by the Dutch was continued during the period of English rule also by Mr. Commissioner Birch. But he was growing weaker and more infirm. Next year he was eighty-five years of age and being unable to discharge the duties of his office, he resigned it and left Chinsurah altogether. He came to his daughter-in-law's house at the close of the year and was welcomed by the family most affectionately. The house in which they lived was the one in which he had formerly resided. It was situated on the south side of Camac Street: and was called by him Beth Saron or Saron House, in contrast to Saron Grove his other house at Bhowanipore which since his failure had been occupied by his good friend Mr. Weston. The family lived in a very retired manner; Mrs. Kiernander being intent chiefly on her children's education. In this the aged missionary now assisted; superintending their tutor, who seems to have been very irregular. He often attended the Mission Church, and was constantly visited by its worthy minister. It is very gratifying to see the affectionate interest Mr. Brown took in his aged friend, and how the trials of the Mission Church were shared by them in common. He spent much time also with Mr. Weston now sixty-seven years of age, in whose conversion he had been instrumental, and whose pious daughter had been the wife of his brother missionary. Occasionally he paid a visit to Chinsurah.

This was the quiet even tenor of his life during its last three years. His spirit chastened by afflictions had greatly profited by them. His heart was full of gratitude and over-

flowing with love. His character was just such as we love to see an old man exhibit, and which none can bear, but he whose treasure is laid up in heaven. His fortune was gone, he had had many trials, but he was full of peace. Strange it is that such trials should be met with such calmness! But it is the Christian law "all things work together for good, to them that love God:" and hence every child of God can say "I have learned in whatsoever state I am, therewith to be content." This is a practical effect of practical religion, and shews that there is something which a Christian can value more than wealth; something which he may possess in poverty: something which wealth can never buy.

An affecting but substantial proof of this, once in Mr. Kiernander's possession, is now extant. We have before us his almanac for 1797 and 1798, written with his own hand. The remarkable days, the church festivals, &c. are all noted in it, and at the end is recorded a list of the public occurrences in the year, put in one after the other as they occurred. In this diary are found many little notices of his daily life, and that of the family. We make a few extracts from it that the reader may mark the spirit which animated him at the close of life.

The almanack for 1797, opens with the following prayers:

"O Lord my God, imprint deeply and daily in my heart

THIS DAILY MEMORANDUM!

That I read often and meditate frequently on the WORD of the Lord under fervent prayer for illumination from the Lord.

That I be always resigned and contented with the disposals of DIVINE PROVIDENCE.

That I may always observe a propriety of behaviour and preserve my conscience pure and just.

That I may submit to that which the Lord has ordained.

That I may acquit myself faithfully in the DUTIES of my employment.

That I may do every thing in my power to render myself as universally useful as possible.

That I may always eschew evil and do good.

That I may always remember my latter end and my going out of this world, and my entrance into the spiritual world.

That I may never forget that there can be no repentance after death: and therefore that it be my daily endeavour properly to qualify myself for a happy life in the blessed state of the spiritual world before I go hence, and

That I may carry an Angelical mind with me out of this world.

May such be always my inward state of mind!

My daily general prayer. Our Father which art, &c.

Jehovah God-man and man-God Jesus Christ, Thou art our Lord and our God; Thou art our Father, our Creator and Preserver, our Guide, our

present helper in all need, our all in all, have mercy upon us. Create in us a new and a clean heart, renew a right spirit within us, incline our will to all what is good, enlighten our understanding to perceive the truth of thy Holy word ; teach us, lead us, and establish us in the way of a willing obedience to all thy Holy and good commandments through life and to our life's end.

Bless us and all our relations ; bless all thy children upon earth ; recal and bring into the way of truth all those who have erred and are deceived : give grace to all infidels that they may turn to thee, repent, believe, and be saved. And further us all in the right way through this world : and out of this world into thy heavenly kingdom, for the sake of thy holy and glorious name.

O Lord our God and Saviour Jesus Christ, help, save and deliver us from all our own sinful selfish worldly and carnal snares and entanglings, that for such deliverance we may praise, honour and thank thee ever. Prepare, qualify and sanctify our souls to thy service ; ah, to thy service in time and eternity! O Lord our God hear graciously our prayer, and add to us all and every grace and blessing that we want, and have mercy upon us now and for ever for thy own name's sake. Amen."

The following are also extracts :

Jan. 2. The Tutor, Mr. John Turner began the School with the children.
,, 3. Mr. Turner having business absented himself to day.
,, 6. Mr. Weston visited me.
,, 9. Letter to Christian W. Gericke by favour of Captain Hogan, Commander of the *Marquis Cornwallis.*
,, 10. Mrs. Mitchell visited us.
,, 14. I visited Mrs. Green who is sick with a fever.
,, 17. I wrote a letter for Mrs. Green to Sir Robt. Chambers.
,, 19. Mr. Weston visited me.
,, 25. I and the family dined with Mr. Weston [at Bhowanipore.]
,, 27. I feel my weakness : the mortal body is gradually decaying.
,, 30. The Rev. Mr. Blanshard is preparing to go to England upon an American ship in about a fortnight, worth five Lakhs. Mr. Owen two and a half Lakhs. Mr. Johnson three and a half Lakhs.

[NOTE.—Mr. Blanshard had been in Calcutta twenty-three years, Mr. Owen ten years, Mr. Johnson thirteen years. It will be seen from this that the Chaplains as well as other officers last century made money-making an object. And in it we find another proof that this was the grand evil of the time. Mr. Owen too was a very good man. In the address to the Society in London, already quoted, after remarking about the two Missionaries who fell, he adds : " Surely these should have known that to a clergyman who finds food and raiment in his profession, there can be no lawful gain out of it ! ! " Shall we blame the missionary and not the Chaplain ?]

Jan. 31. The Governor General Sir John Shore and the Commander in Chief are gone up in the country.
Feb. 1. There seems to be a disturbance approaching above in the country : the army is recruiting and augmenting.
,, 6. Letter to the Rev. D. Brown and his answer. Mr. Wade is expected as a Missionary if the Bishop will permit it.

Feb. 9. The war that threatened us is finished. Zemaum Shaw is returning to his country.
,, 10. Mr. Weston visited me.
,, 12 .Several ships from Europe, and a good number of soldiers about 2,000 are arrived in the River.
,, 16. Letter to Sir R. Chambers at Cossipore.
,, 19. For several days my right leg has been swelled which has caused much pain in walking as if I had trod upon needles.
,, 27. Letter to Chr. W. Gericke and Daniel Ince, Esq. by the Post. The First oratorio was in the new Church. To which 700 Gold Mohurs were subscribed for the Free School, 11,200 S. Rs.
March 1. Mr. Weston visited me.
,, 2. I visited the Rev. D. Brown.
,, 4. I visited Mr. Weston and took my leave of him as he is going up to Chinsurah.
,, 9. Letter to J. Prescott with Fox's Book of Martyrs.
,, 12. I visited Mrs. Green and wrote a letter for her to her agents.
,, 15. To day Turner is absent.
,, 18. Jugol Mali's report. Turner absent on his own business the whole day.
,, 20. Turner this afternoon ——————— went home in my Palankeen.
,, 21. Turner came at nine and went away at eleven before I could speak with him, in the afternoon Turner promised to come regular.
,, 25. Turner absent the whole day.
,, 27. This day received a letter from Sir Thomas Higgins; date London 7th August, 1796.
April 1. The heat of the weather is great and makes me very weak. Bodily strength is gone.
,, 2. A young woman of the caste Warduga is desirous to be a Christian and desires to be baptized.
,, 3. As she understands a little of the Portuguese language I began this morning to instruct her. Turner absent the whole day.
,, 7. I baptized Maria of the Telinga caste from the coast, about twenty years old.
,, 8. Frequent great fires in the Calcutta bazars and straw houses.
,, 11. The heat and dryness of this weather must be a heavy burden to others as well as to me, who am now depressed and quite faint.
,, 15. The Rev. Mr. Brown is now Senior Chaplain: the Rev. Mr. Limerick the junior, and the Rev. Mr. Buchanan succeeds Mr. L. at Barrackpore.
,, 15. Letter from Mr. Weston and R. Birch, Esq.
,, 24. Turner absented himself on his own business.
May 1. The Governor General returned from Lucknow to Calcutta.
,, 16. Letter to Mr. Gericke and George Parry by the Post.
,, 22. Several very great fires have been in the Calcutta suburbs and bazars whereby many thousands of the poorer sort of Bengalees have been sufferers, and lost all they had.
,, 27. Mr. Dumpling visited me and brought me a letter from Mr. Gregorius Herklotz to come to Neelgunje and baptize his daughter.
,, 28. Another great fire at the Boitakhana.
,, 31. Dr. Roxburgh, Mrs. R. and George their son paid us a visit.
June 4. I went to Anilpore and baptized Adelheid Antoinette a daughter of Mynheer Gregorius Herklotz.
,, 5. I arrived at Bethsaron at eight in the morning.
,, 13. These several days much hurt has been done by lightning. At Short's bazar a brassman's shop filled with brass pots was struck by the lightning and consumed in fire: and seven Bengalis in the shop were killed by it.
,, 27. I have for sometime ago begun to revise my old sermons and to write them fair anew and now on this day, the 27th, finished ten sermons.
,, 28. Mr. Weston and his family returned here from Chinsurah.
July 2. Mr. W. kindly visited me.

July 6. The Mahometan feast ends, not without murders.
„ 23. The family dined at Mr. Weston's: I excused myself.
„ 26. I had a great cold, which I caught yesterday, my great Japan Banyan coat cannot keep me warm.
„ 31. I finished the sixteenth,
August 1. My cold has quite left me and the swelling in both legs and feet is entirely gone away; and thanks be to God, I find myself perfectly well.
„ 21. I finished the twentieth.
„ 25. Mrs Kiernander has a violent headache.
„ 29. The Rev. Mr. Brown and the Rev. Mr. Buchanan paid me a kind visit.
„ 30. I received a letter from Mr. Gericke.
Sept. 18. Turner absent the whole day.
„ 25. Mr. Weston visited me.
„ 26. Turner came in time. Ned had a fall and cut his foot: a very deep wound.
Oct. 12. I had a kind visit by the Rev. Mr. Brown in company with the Prince of [ ] an officer in the English Military Service.
„ 22. I went from Calcutta to Chinsurah.
„ 23. I visited R. Birch Esq., and the sick Mr, Prescott.
„ 24. I baptized Maria Catharina Mr. Bogaardt's daughter. I baptized Albertsi Maria Mr. Botser's daughter.
„ 25. I baptized Christian Augustus, Captain Ethardy's son.
„ 27. I went from Chinsurah to Calcutta.
„ 45. Arrived, the Rev. Mr. W. J. Ringeltaube as the Society's Missionary for the Mission Church
Nov. 1. The Rev. Mr. Brown and the Rev. Mr. Ringeltaube visited me.
„ 3. I sent my picture to the Rev. Mr. Brown and my Portuguese books to the Rev. Mr. Ringletaube.
„ 4. Turner came in good time [so for several days]
„ 19. I made a trial to go to Church: the joy of my heart was there.
„ 20. Mr. Weston visited me.
„ 22. Mr. Ringeltaube favoured me with his good company at breakfast and dinner, and I received much pleasure from his conversation. May the blessing of God rest on him!
„ 30. I count the days and hours. I close my eighty-sixth year crowned with Divine Mercy. The goodness and mercy of the Lord my God is every morning renewed. O my soul, praise the Lord for ever.
Dec. 1. 1797 / 1711 / 86 By the mercy of the Lord with a perfect state of health, I enter into my eighty-seventh year of age. O Lord be thou my life and my guide through this world into Heaven.
„ 3. I received the Holy Sacrament in the Mission Church: S. D. Gloria.
„ 29. I visited Mr. Ringeltaube in the Mission Church House.
„ 31. Mr. Weston visited me. The whole year is gone. Time doth not stand and wait for us, but is uninterruptedly going. We must therefore make use, and good use of it, whilst we have it.

1798.

Jan. 2. Finished my address to the Roman Catholics.
„ 8. Letter to the Rev. D. Brown; and sent for his perusal. the address to the Roman Catholics. Letter from Mr. Brown, who is of opinion that the circulation will be difficult on account of the prevailing apathy to read any thing of Religion.
„ 11. Mr. Le Beck paid me a kind visit: he is from Tranquebar, and now returns to that place. He has studied at Upsala, and is fond of travelling over the world, &c.
„ 12. My cough has now lasted these eight days.
„ 15. Mr. Weston visited me and sent me a dose of Ipecacuanha.
„ 16. Mr. Weston visited me. I am much better.
„ 26. I have now no cough and am thanks to God, well.
Feb. 9. I went from Calcutta to Chinsurah. Letter to Mrs. Kiernander.
„ 10. I visited Overbeck and Terraneau.

Feb. 13. I visited Mr. Birch, junior. Mr. Bowman visited me.
,, 14. Doctor Geissler and Mr. Verboon visited me.
,, 16. I dined with Mr. Dolle. I visited Seven Biggas.
,, 18. I preached German, Luke 22, 19. I baptized Peter Theodorus Gerhardus Overbeck. Do. Wm Alexander Smith. Do. Carolina Terraneau.
,, 20. I went from Chinsurah to Calcutta. All well. S. D. Gloria.
,, 22. Little Edward maketh now a beginning to go to school to Mr. Turner: and so they are all five boys in a good train of education: and little Charlotte is improvised with me, and thus all six in a good way.
March 4. I dined with Mr. Weston and took my leave of him as he is going up to Chinsurah for some time.
,, 9. Received the news that the Rev. Mr. Schwartz was departed from this terrestrial to the spiritual world.
,, 11. Many in Calcutta are sick; but, thanks be to God, all in my family are very well, and I am in perfect health though weak by old age and its attendant infirmity.
,, 21. Letter to Mr. Ringeltaube. He sent me the Society's account for 1796.
,, 22, 23, 24. I have with much pleasure read the account of the Society for promoting Christian Knowledge for 1796, and observed the glorious instances of the good Divine Providence, which gives support to my depressed spirit, and maketh me rejoice in the good Providence of God.
,, 26. Letter to Mr. Ringeltaube and returned the account of the Society for 1796.

[NOTE.—This letter is extant and we would gladly reprint it. It is full of Christian reflections upon the work of the Society and on the goodness of God which during all the century had raised up such men for the Indian Mission, provided such support, and so filled the schools with educated natives. Mr. K. declares it, in his view, the high vocation of England to enlighten India, and expects that all the English nation will join together to form a society for propagating Christianity in the East Indies. One thing we quote in relation to his work; "I was by *old age, fatigue,* and *other vexations* quite exhausted and under the necessity of leaving my post."]

April 8. Now near 300 children of the Free School were at Church to-day, Calcutta has lost nothing by the cessation of the poor Mission School. This is a blessing of God upon the good endeavours of the Rev. Mr. Brown.
June 4. At 4 o'clock I went from Calcutta to Anilpore and baptized the son of Mr. G. Herklotz, Gerhard Andreas.
,, 6. Turner came and was dismissed.
,, 25 and 26. These two days Mr. Chapman [the new Tutor] did absent himself.
July 1. Now seven months are past of my eighty-seventh year Blessed be the Lord the happy eternity draws near.
,, 4. I finished revising, writing fair the twenty-eighth Sermon.
,, 12 Mr. Chapman absented himself this day. [The same many days.]
,, 17. Engaged Mr. John Bland as Tutor to the six children at 100 Rs. per month.
,, 21. The Rev. D. Brown visited me. We had a conference about Mr. Ringeltaube, &c. Conclusion: to leave him to his own will to act, to stay or go away, as he thinks proper.

[NOTE.—Mr. Ringeltaube was dissatisfied with his salary and wrote to England about it: before the reply could arrive, he determined to leave the Mission.]

July 27. Mr. Weston paid me a kind visit.
August 1. Soli Deo Gloria! I enter into the Ninth Month of my eighty-seventh year in perfect health.
„ 16. Ringeltaube is returned to Europe.
Sept. 3. Joseph Harris began to teach the Children as Tutor.
October 6. First advertisement for printing the well meant address [to the Roman Catholics.]
„ 7. The pain in my right eye continues the same,
„ 28. 29. My eye remains the same.
Nov. 6. Mr. Weston paid me a visit, about the sun's not setting for fourteen days at Turrow in Lapland.
„ 13. I received a part of the address from the Printing Office.
„ 14. Mr. Michael de Rozario visited me, one given to him.
„ 19. Letter to Rev. David Brown with one well meant address.
„ 30. With this day my eighty-seventh year is ended. I heartily thank thee, O Lord my God for all thy long suffering and patience with my failings, for all thy love, mercy and blessings.
Dec. 1. This day I entered into my eighty-eighth year of age; and thanks be to my Lord and God, for good health and for His manifold blessings. May His Commandments be my rule of life, and I his servant for ever.
„ 3. I sent ten packets of the address to Luis Baretto, &c. &c.
„ 6. Letter to Philip D'Cruz and the address which he angrily returned.
„ 11. I began to make an almanac for the ensuing year, 1799.
„ 31. This year is now at an end. But thou O Lord shalt endure for ever. Thou art the same and thy years have no end. Blessed be the Lord for ever.

The almanack which Mr. Kiernander prepared, he did not live to finish. He had lived long, expecting the coming of the Lord, and at length he was called home, "as a shock of corn fully ripe." On the 28th of April 1799, one of his old flock called to request that Mr. K. would baptize his child. He was desired to come next morning at 7 o'clock. On rising that morning from his bed, Mr. Kiernander suddenly slipped, and fell. The fall broke his thigh. Medical skill was of little avail, and after lingering for a few days, he died on the 10th of May, aged eighty-eight years. He was buried in the grave of his second wife in the Mission ground, and the service was read by the Rev. D. Brown.

Such was the end of this servant of God. His is an eventful history, and one which upon his dying bed he must have viewed with much pleasure, so tender had been the dealings of God's providence towards him. His early training, his studies at Halle, his first charge at Cudalore, his expulsion thence, the way open for a new mission in what was soon the Metropolis of India, its establishment and increasing prosperity for thirty years, his sorrows and his poverty were the steps through which the Redeemer had led him and

through which his probation had been carried on. He had laboured for nearly fifty years in active missionary life, and in the last mission had received so many converts into the Church of God. Were not these things themes for thankfulness? He had laboured too, not amongst the great, though some had joined his congregation, but amongst the poor, the natives and Portuguese. And shall we not say he was a good soldier of Jesus Christ, and bless God that in the heathenism of last century in Calcutta he gave such a witness for truth.

A portrait of Mr. Kiernander formerly existed, and was given by the Missionary to Mr. Brown, but it has been lost. An engraving of him, from a painting by Imhoff in 1772, hangs in the Mission or Old Church Rooms, and has the following inscription in German:—

Not in thy cold Sweeden, no,
On Ganges' banks it is thy lot God's messenger to be.

In recording these things it has been our earnest endeavour with scrupulous exactness to shew Mr. Kiernander's work in its right light, leaving others to judge from the detail, what there is of good in the story and what of evil. We may only add, therefore, that while from his labours so decided and so useful, we claim for him in all justice the title of the *first Protestant Missionary to Bengal*, we must also claim for Dr. Carey and his zealous colleagues, Marshman and Ward, all the credit due to an original attempt in devising and carrying out those excellent plans which have laid so broad a foundation on which to build the native churches of this country. For while his labours preceede theirs and ought not to be despised or forgotten; their efforts were independent of his and they received from him no direct help. Yet why should we speak of the praises of men. We are sure that every one of these honoured Missionaries would have been ready to ascribe all the praise and the glory to Him, by whose gracious Providence they were sustained, and by whose enriching blessing their labours were rendered productive of lasting good to their fellow-men.

ART. V.—1. *Report of the Superintendent of Police of the Lower Provinces for* 1844-5.

2. *Report of the Committee of the House of Commons,* 1828-9.

FEW merchants in England have any correct or vivid idea of the system, by which Indigo in Lower Bengal is sown, cultivated and cut. Few, even amongst the residents in India, know more about a Planter's Life, than the wars and rumours of wars, which sound in their ears at uncertain intervals. In England, spite of the increasing desire for accurate knowledge on Indian matters, it would at times almost seem as if the prevalent notion of a Planter, engaged either in Sugar or Indigo cultivation, were that of a man, with a wide-brimmed straw hat, or fierce and oppressive overseer, and a whole string of unfortunate dark coloured beings, working away incessantly under a broiling and vertical sun. And in India many individuals, otherwise accurately informed on the resources of the country, know little more of a planter save that he is very often in hot water, that his name is bandied about in the Mofussil Courts as a byeword, and that he is supposed to go home at the end of a couple of lustra, with a fortune raised on the basis of oppression and illegality.

We shall not therefore endeavour in the following pages to institute any inquiry as to the prospects of Indigo, in a commercial point of view. We shall not discuss the point whether Benares turns out better produce than Tirhút: why that of Bengal is generally considered superior to either: whether up-country seed be the better for sowing: how far a railroad in the Indigo districts would be likely to engross the traffic of the circuitous, and often dangerous water route: how many "bumper seasons" in succession may be supposed to qualify a man for retirement from Indian life, or whether, within the last ten years, a greater number of fortunes have been made, or lost. But we will endeavour to give a sketch of the system pursued by Indigo planters, and of their dealings with Zemindars, Middlemen and Ryots: of the manifold temptations to which they have been exposed: of the excuses they may plead, and the *degree* of condemnation they must incur. We will try and give the planter fair play, nothing extenuating nor setting down ought in malice. But, as we shall be compelled to treat more of the individual when in court and embroiled in cases, than when riding over his new sown lands, with high hopes of a full crop, it has seemed best to us first to consider those peculiar features of Indian Society by which he

has been led, like Scapin, "à se brouillier avec la justice." And this leads us to examine what has been well termed "the Lattial system," as a great and striking feature in all dealings between the European settler, and the Native Zemindar. Few readers will require to be told that the word *Lattial* is derived from *Latti*, a club or stick, and will thus signify a cudgel player or club-man. Would indeed that their weapons had never been of other material than wood, and the system, though bad enough, would never have presented some of the atrocious characteristics, which have signalised its past career. The Indian statesman, and indeed every Englishman in India, may find no unprofitable lesson in remarking how, at infinite distances of time and place, and with climate and people radically distinct, corresponding phases of Society are marked by corresponding outrages against civilization and order. Laws may defeat their own object by excessive weakness, as well as by excess of severity: and however stringent may be some of the Revenue Regulations, the criminal laws of British India have as yet erred more on the side of leniency, than on that of harshness. Under the Roman constitution, and in the decline of the commonwealth, the streets of the great city were marked by exactly the same outrages, as those which have figured every year, in the report of the Superintendent of Police. Gracchus and Clodius, Decimus Brutus and Saturnius, one and all gained their own elections, or prevented that of their rivals, carried out their strange law, or hindered the good citizen from proposing his beneficial enactment, by maintaining round their persons numerous bands of hired ruffians. The Zemindar and the Planter got possession of the wished for village or estate, and reaped the tempting crop of Indigo by paying at a high rate, some two or three hundred Lattials, and taking due care moreover that the labourer should work for his hire. The causes in both cases, we must allow, are slightly different. "Because the Roman constitution provided no adequate legal 'punishment for enormous crimes, men became reconciled to 'irregular inflictions of vengeance on the plea of necessity," men excused the partisans of the turbulent demagogue, or the unyielding aristocrat, who had no scruples in availing themselves of retaliations, by the unlawful means their rivals had previously employed. And because in India, from thirty years back, up to the present date, or nearly so, districts were enormous, and justice far off, and its course any thing but rapid or unobstructed, and above all, because the law provided no means whereby Principals could be made amenable to punishment, and responsible for the acts of their agents, the Zemin-

dar and the Planter drew out their forces in the field, and many a good stand up fight, in the broad face of day, was the result.

But no dignity of precedent, or combination of names from the pages of History, can confer lustre on the Lattial system, or wipe away a single one of its misdeeds. The example of Rome can no more justify or even palliate the Planter, than the existence of sycophancy, and false indictments at Athens, can give honour to the false cases, and the perjury of our Mofussil Courts. Unconsciously, and led perhaps by a train of circumstances almost unexampled, the Planters have lent themselves to practices paralleled certainly by those of the armed bands of the great city, and they must now bear the opprobrium without the intervention of that friendly veil, by which antiquity, to unthinking readers, divests many scenes of one half their horrors. Distance will here lend no enchantment to the view, and riots with loss of life, stand out, glaring and unredeemed, in all their naked ugliness.

We must glance at the condition of the indigo planter some thirty or forty years ago, when he first set foot in the country. He was in truth nothing more or less than an adventurer, seeking a spot on which to establish himself. The method generally pursued was for him to purchase a potta of some fifty, one hundred, or more bigahs, and there and then erect a factory with vats, godowns, and machinery complete. We must recollect that the state of the charter, until recently, prevented Europeans from holding property in their own names, and the land attached to the Factory, indeed the Factory itself, was held *benami*, or covertly, by the master, and openly, by his native agent or some other man of straw. Not a landholder himself, he naturally attempted to persuade the neighbouring Ryots to sow, cultivate and reap the indigo on his behalf, with a present earnest of two rupees per bigah, on anticipation of a dividend at the coming harvest. Of the advance and repayment afterwards, we shall speak presently. But it was not to be supposed that the Zemindar of those Ryots would tamely look on an interference with his droits de Seigneur, nor indeed were the cultivators generally disposed to grasp at the proffered loan. A foreigner threatening, cajoling, or persuading a population, who called him lord and master, was a loss of dignity not to be borne. With a Zemindar indignant and a number of Ryots acting under his influence, and averse to indigo naturally, there would of course be a hundred occasions of quarrel; or suppose the Zemindar an absentee, yet the Middlemen swarmed in Protean variety, of

whom each with a jurisdiction more confined, enjoyed an authority more compact and effective. There is, of course, no doubt, abstractedly speaking, of the Planter's right to give out advances to the Ryot, and of the Ryot's, to sow and cut for the Planter, provided his so doing, were not prejudicial to the lord of the soil. But are the Choudaris of Lower Bengal, likely men to permit another to have dealings with their Ryots, and derive no actual advantage from the process themselves? Were the Planters all "honorable men" who made use of no expedients but the fairest and most equitable? and were the cultivators, if oppressed by an adventurer, to sit down quietly and not lay their complaints at the foot of their natural protector? But, besides the doubtful position in which Planter, Ryot, and Zemindar stood to each other, there were other considerations. Apart from the character, and the mutual relations of the inhabitants, let us look at the character of the soil. In a country where the alluvial nature of the ground, yearly produces considerable change in the surface, where boundaries are rare, and the sacred command to remove the few already existing, unregarded—it is sometimes hard to determine, even in a local investigation, the due limits of an estate. Again, where the hundred streams, which pour their contributions though the Sunderbunds into the ocean, are continually working such metamorphoses in their own channels, as surpass the wildest creations of fancy, and are inconceivable by those who have never witnessed them: are crossing and recrossing each other, are lost and reproduced: where a river in the height of the rainy season may cover some three or four miles of country in breadth, and in the winter may dwindle down to a shallow, and yet uncertain rivulet: where the stream, remaining after the rains subside, one year skirts a village three miles at the right bank, and in the next runs at exactly the same distance off on the left: where a large slice of land, termed a *chur*, is worn away on the east by the current, to be reproduced some twelve months afterwards in a similar shape towards the west: where the changes take place so rapidly that they may be counted—nay *heard** every day, and yet are effected by such mysterious combinations of causes, as to baffle the most practised judgment:—in such a country, is it to be wondered at, that more than one owner should come forward, for a piece of land which disappeared sometime since, and is now claimed as an old friend?

* This is no exaggeration. We have ourselves heard the sound of banks giving way under the influence of a strong current, as distinct and prolonged as that of a roll of musketry.

Where, on the banks and parts adjacent to rivers, such characteristics are common, where a little further off, and in the unbroken plain there are neither hedges nor walls for boundaries, and instead, only a few mud banks or ditches, half natural, half artificial, where the soil may change its appearance according to the abundance, or want of rain in the year —it would be no easy task to keep entirely free from quarrels, were the landholders the most upright and fair-dealing, and the peasantry the most honest and manly, on the whole face of the earth. But when, in addition to vague and indistinct landmarks, and to confusion of proprietary rights—some men hardly seeming to know where their own terminated or their neighbours commenced,—we have to deal with chicanery, equivocation, and deceit;—is it to be wondered at, that Law was set at defiance, and the voie du fait made the only appeal?

To the *Zemindars* is due the *invention* of the Lattial system. We can affirm, with the fullest confidence, that it was not a device of the Planter,—that, left to himself, and with the prospect of fair dealing and speedy justice, he would not have thus taken up arms in broad daylight. But, at the same time, we are bound to state that if he had no hand in its establishment at first, he showed no backwardness in availing himself of it, when once fairly started. Nay, our regard for truth compels us to declare, that in the use and application of these weapons, he fully maintained the superiority of the British character, and often far surpassed in execution what the boldest native landholder had ever ventured to conceive.

There is a strange similarity between the position of the English, as settlers in the country, and the Indigo Planters as settlers in Lower Bengal: between the first Europeans at Fort William or Húgly, and the first planter sowing his Indigo crop: between the merchant erecting a fort, and asking permission from the Court of Delhi to trade in the interior, and the adventurer building his godowns and forcing his advances on the reluctant Ryots. It is not too much to say that the sovereignty now enjoyed by both, was in a manner forced upon them; once embarked, there was no possibility of a retrograde movement, or even of standing still. To retreat was to be lost, and to remain on the inoffensive, a feeble policy, whose end was destruction. Moral considerations would have little chance of an impartial hearing, and every thing would bend before political expediency. The same causes which urged the energetic statesman, to remove one more rival from the field, or subjugate one more independent prince, also taught the wary planter to strike one more effec-

tive blow, or obtain a footing in one more Talúk. Many a factory, we think, could tell a tale of disasters encountered and as speedily revenged: of crises when the state seemed on the verge of destruction, followed by victories more brilliant than the previous loss: of long and obstinate struggles in which the Native yielded only to the concentrated, and persevering energy of the European with ample resources. Many a planter had his days of darkness and gloom, followed by unexpected gleams of sunshine.—His Hyder or Tippoo to combat for a series of years: his desultory warfare against middlemen as troublesome as the Pindarries: his opponent as stubborn as Scindiah, overthrown by an effort not much inferior to Lasswari. But whatever may have been the vicissitudes of each individual Factory, success has been the general rule. Victory and exultation came in the place of despondency, and the emigrant obtained firm and lasting possession, where he once could only number a few acres of ground.

Lest it should be imagined that in writing the above sketch, we have been indulging in romance, we beg to assure our readers that out of some *fifty* and more concerns, in several districts in Lower Bengal, we have been unable, after considerable research, to find a single one about which, *at some time in the last thirty or forty years*, affrays have not taken place, attended either with homicide, or with severe wounding. Old men still live who can recall the time, when the struggle commenced: when the Indigo planter first gave out his advances, and the Ryot by a natural consequence, called on his Landlord to aid him: when the annals of the Fouzdari Courts were literally written in blood, and the establishment of a new Factory, was another word for a case of affray. These veterans now look around, and see ten planters, quietly and permanently established, where at first they could hardly remember a solitary individual. With some factories the struggle was short, rapid, and effective; others enjoyed notoricty for a period of years; new Thannahs were established, and extra Darogahs appointed in order to watch their motions; but in the case of every single concern, we had almost said of every single factory, the Lattial system was brought into play. It is not however to be imagined that the planter himself, ever headed his forces in a fair stand up fight, or remained watching the issue, from the top of his elephant. The preparation and the engagement itself, were generally left to the head native agent of the concern. With the most unscrupulous, and in early times, the command was often *direct*. But oftener, and with

men who desired some salvo to their conscience, it has been given in a few words, enigmatical, but as expressive as the well known formula, employed by the Senate of Rome, in all cases of emergency. "Dent operam consules ne quid respublica detrimenti capiat," in other language, "The Naib must take care, that the interests of the concern do not suffer." And the direct order, or the broad hint were never lost on him, to whom they were addressed. We beg to assure our readers that it is the wildest stretch of the imagination, to suppose for a moment, that the planter was not perfectly aware of the means which would be employed to prevent any detainment to his respublica. If he did not actually give the order in plain language, to hire the Lattials, and oppose the enemy in the field, he sanctioned the money for the forces, and if ever, when two parties were quarrelling, a fight took place, without *Planter* and *Zemindar* having a pretty good inkling of the forthcoming event, we can only say that their conduct must have been analogous to that *crassa ignorantia*, which in Lawyers, and medical men, is deemed a fit object for heavy damages in a Court of Justice.

The life of an indigo Planter, some thirty years ago, would, if chronicled, present features as novel and almost as romantic as those of any moss Trooper, in the old border warfare. It is too often the custom when dwelling on the defects of any one branch of our Indian departments, or of any one class of men, to take some startling anecdote, which stands alone and unique of its kind, and hold it up to the eyes of the world, as a thing of common and even daily occurrence. Now anything very outrè of of its kind—though it may have happened but once or twice, of course, does tell considerably against the class of men whence it emanated. It is rightly judged that there must be something rotten in a state, where such events could ever occur, by any possibility, and under any combination of circumstances. But astounding stories of affray—not exceeded by the worst excesses of the most turbulent Irish county—come at our call, and may be numbered by scores. Not one, but a hundred instances can be given of fair stand up fights, where two, three or half a dozen lives were lost with a proportionate return of wounded: of battles where the hired up-country Brajbashi fought with a determination which would have done honour to the Company's ranks in any campaign: of hair breadth escapes where the Planter, waylaid by a band of Lattials, only saved himself by the fleetness of his good steed: of armed hosts attacking *out factories* and levelling them with the ground: of whole bazars plundered by one

party, with a retaliation as effective from the other: of boats stopped and either rifled of their freight, or made to pay toll with a regularity as admirable as the Government Revenue: of successful manœuvering where the Planter, able to master only some two or three hundred clubs, carried his point in the teeth of eight hundred or a thousand of the enemy. Nay, more amusing anecdotes could be told, such as would raise a smile on the very face of censure, for not unfrequently the Planter, who had found no "job" for his collected Lattials, might have been seen, like Katerfelto, with his hair on end at his own wonders and unable to exercise the demons he had wantonly invoked!

It is with the most sincere and unfeigned regret that we pen the above, but we have not the least doubt of its complete truth. Every thinking mind must lament that our first attempt to introduce European activity and capital in the plains of Bengal, should have succeeded only after scenes of which we have shadowed forth but a faint outline. The European, bringing the improved appliances of agriculture and civilization, to benefit a population restricted to the old fashioned utensils, and methods of their forefathers—the white settler, coming with his varied intelligence, and enlightened views amongst a people sunk in antiquated prejudices, and impassive apathy—the christian, placed suddenly side by side with all that is darkest and most repulsive in the history of superstition,—were led by a combination of circumstances, partly forced on them, partly of their own seeking, to plunge into the same lawless course, to weary themselves with the same endless litigation, to bring into play the same unhallowed and demoralizing practices, as have stamped the rich land owners of Bengal, with an almost infamous notoriety. We do say the planters were compelled, to a certain extent, to adopt the weapons they saw used by every one else;—in the language of a high authority the system was "forced upon them" There was nothing for it, but to fight the enemy after his own fashion, or to go to the wall at once. And as we have stated this rather summarily as a fact,—we will presently attempt to show why it is that in dealings with native landholders, the laws do not apply that coercion, which would restrain both parties from resorting to violence.

If there be any one who imagines that the Lattial system is the planter's own device the best proof that we can adduce to the contrary, is the established fact that,—Scotch, French or English,—they are *not* in the habit of fighting with each other. Should two Planters disagree in a boundary dispute, or

as to the right of possession of a village, they are generally found to listen to the voice of Law, or of Reason. In several cases they do not have recourse to the Courts at all, but settle the matter by reference to some experienced arbitrator. We are aware of only a very few instances, in which litigation betwixt two Europeans has thrown an additional stigma on the class. But when engaged with the Natives, it is widely different. In the older times the Zillah was immense, and the proportion of work on the shoulders of one official, in his capacity as Judge and Magistrate, or Magistrate and Collector, beyond all bounds. Engaged in his revenue matters, or with heavy arrears of judicial business, and perhaps no assistaut on whom to devolve the minor cases in his office, how could the Government servant proceed to the spot, or otherwise make use of his authority in a direct way, to prevent a breach of the peace? There was no summary mode of giving possession in those days, no act IV. of 1840, which, if judiciously applied, might in many cases put an end to the disturbance, by removing the cause. Again there were other circumstances which gave rise to quarrels, besides the mere claims to the Indigo crop, or those, regarding the possession of a village, or the boundary mark of a jhíl: in the mere collections of rents, the constant alienation of the tenures from one to another, in the Ijarahs of large farms, a thousand quarrels might arise. For many contingencies the lands only provided inadequately, and for several they never could provide at all. Meanwhile one party applied for assistance, and found that there was none forthcoming, or that it would be tardy and ineffectual, that it would arrive indeed, when the mischief had been done, and the harvest of the current year, stored in the godown of the adversary. The other party was all the time arming his lattials and taking time by the forelock; what wonder then, if growing desperate, the planter grasped at the means within his reach and met the zemindar in the field? The event as we have before mentioned, was in few cases doubtful. Backed by an influential house in Calcutta the point in dispute was carried by a high hand. Many of our merchant Princes, we feel assured, would be astonished if they saw, spread out before them, the items of that great total sent in yearly by their Mofussil Agents under the comprehension head of "cases in courts." Under this enigmatical term has often been written, and that in characters of blood—the price at which the possession of a chur was won, or a new road cut, or a village carried, or an opponent dispossessed.

We have thus attempted to show, that partly owing to the inefficiency of laws and the litigious character of the natives,

the planter was not altogether without excuse in the system he pursued. It was not downright opposition to rule and reason. But we do not mean that every planter who has ever connived at an affray, should shelter himself under this comprehensive excuse. In fact when the system was once started and generally winked at on all sides, it is impossible to say how often he may have been the first to offend. How often he may have jumped too soon at the conclusion, that there was no help in magistrate's courts: how he may have been the first to bring forward an unjust and groundless claim, and the last to abandon it:—how in short from long dealings with the natives his moral vision may have acquired a sort of obliquity and been incapable of discerning "the right line from the curve."

We have known several exceedingly right thinking and well intentioned individuals who in the choice of profession for themselves or those nearest them, have deemed several to be shut out from the list of those, in which a gentleman and a Christian could lawfully engage. Such for instance are the Law and the Army. Attorneys have been known to take up dirty cases, and lawyers to push the forensic license of abusing the opposite party, and defending their client by every means to an extent far beyond the allowable limit. Military men have been reckless and extravagant, careless in their language: and Regimental Messes have been known to ruin many a young ensign on the outset of his career. To such persons therefore the Law and the Army seemed forbidden Waters in the Ocean of Life. Now it needs no long argument to prove, that both the above professions, may be entered on with as clear a conscience as those of the Church or of Medicine. It is the abuse of them which has deterred men of excessively tender feelings. They deemed it impossible to keep steadily in the right path, where temptations were so manifold, and so few had stood their ground. But it is hardly necessary to go farther into the subject. Numerous instances are to be found at the present day, of Lawyers and Soldiers, whose thoughts, words and deeds have amply redeemed their respective professions from any previous stigma, and shown to the world that a client's case could be pleaded and a forlorn hope led, without the least infringement of the great rules of conscience, or the slightest detriment to their far higher calling as Christians. But we really have often doubted whether the profession of an Indigo Planter, *practised as it was in the older times*, was not *unhallowed*, to use the mildest term possible: disputes and consequent affrays were so inevita-

ble—connivance at unfair practices so necessary, in order to keep above water, chicanery, litigation, at times almost direct fraud against fraud, and at any rate open force used against open force—all seem to us, to have stamped the calling as one in which an European, trained up in European notions and ways of dealing, could not consistently take a part. We regret to say it, but there can be no doubt that the moral sense may be blunted even with right thinking men, by constantly coming in contact with the same phases of crime. We know that able Police officers, accustomed to investigate cases of murder, especially such as swarm in our Mofussil Courts, have in the end looked on the perpetrators and discussed their probable motives almost with indifference, and to go one step farther and take the case of a principal and not a spectator in the affair, self-deception has led many a planter, when engaged in proceedings directly contrary to the Law, to delude himself into the belief that he was merely defending his rights unlawfully assailed, and that, in both a moral and legal court, he would be certainly absolved from guilt! Not to dwell longer on the most distasteful part of our subject, we may repeat in one short sentence the sum of what we have endeavoured to prove at length in the preceding pages. No man could enter on the profession with his eyes shut: he must have had a tolerable inkling of the troubled sea in which he was about to plunge, but once embarked, his conduct in the measures he was compelled to employ, is almost analogous to that of a man, who should have recourse to extremities when his life was in danger, and the onus cannot altogether be taken off, from those who provided such inadequate security for life and property, or neglected to stop the fountain whence all the evils flowed.

The state of the native community, in some of the Indigo Districts, presents a combination of features the most adverse to each other. Evils which seem to belong to two distinct phases of society, each coalesce in one, and the same. Characteristics which might be deemed wholly irreconcilable with each other, here are seen united and walking, as it were, hand in hand. We have daily before our eyes a picture in which the main features, belong to the period of over civilization and to that of the first state of barbarism. We have outrages in open daylight and a desultory warfare, which might do honour to the Pawnee Indians on the one side, and on the other, litigation, chicanery and false charges, such as were never exceeded by the worst days of Athens in the epoch immediately following her ascendancy over all Greece. Here, we have the Lattial flourishing his club, and there, the native agent

setting every spring at work to exculpate the actual misdoer, or substitute another in his stead. Here we have sheer force employed, and there fraud and falsehood to escape from its contingent punishment. False cases without even the shadow of a substance *are proverbial in our Mofussil Courts*, and yet we very much doubt, if they are often successful in their object. Their very frequency is one cause why they fail. The official is on the watch, to detect the groundless case or to reduce exaggeration to its probable starting place: he is well aware, if there is, or has been a quarrel between two rivals, and can, with a little trouble, unravel the hidden grounds of the complaint. The native's wish, like vaulting ambition, over leaps itself and falls on the other side. We do not think that in nine-tenths of convictions, there is any danger of the innocent falling a sacrifice. But if ever unjust sentences have taken place, it is in cases of affray and committal to the Sessions. We will state our reasons shortly for the same. A man's character is not very hard to know from his life. Even the most skilful and unscrupulous Darogah, would find it rather difficult to implicate a wholly innocent man in a charge of *Dakoity*. His previous inoffensive pursuits, his whole mode of living would from the first, militate strongly against the supposition. Again, a false case of imprisonment and assault, would fall to the ground when the enmity of the parties was known, and, it may be, the corpus delicti would not be proved satisfactorily. In the instance of Dakoity, the fact would be undoubted, but supposing an innocent man accused, his exculpation, drawn from his previous character, would be no great difficulty. In that of plunder and assault, it would be nearly impossible to prove that the event had been committed at all. But these resources fail in a real case of affray. A fight has taken place, the hired Lattials, who received their pay beforehand, are safe "over the border" within a few hours of the occurrence, but there is no doubt whatever of the fact. One man, or perhaps two, are murdered and no effort can conceal crime here. But it may be possible to fix the deed on a party totally unconcerned. There is no moral guilt, in the eyes of the native, attaching to a man who joins in an affray. There may, perhaps, be nothing at all inconsistent in the charge itself, especially in a part of the country, where the Ryot, from example and precept, knows but too well how to combine the use of the sickle and the sword. Perhaps it may be easy to prove that the Ryots of the surrounding villages were ill disposed towards one, or the other of the zemindars, in whose behalf the fight has occurred, and the combination of facts will assume a

degree of consistency, which may baffle every attempt at defence and the most earnest endeavors of the judge to elucidate the truth. In England, direct evidence is rightly considered the most trust-worthy of all. In Bengal it is often the most worthless and is dealt with accordingly. A chain of really good circumstantial evidence is very hard to forge. It is beyond the powers of most natives, and their false cases of attack and plunder, are generally supported by the evidence of hired witnesses, who swear to have seen with their own eyes the facts attempted to be established. In Dakoity, in Burglary and similar cases, good circumstantial evidence, in the recognition of property is not unfrequently forthcoming. But in affrays there is nothing for it but direct testimony. If the real Lattials are not forthcoming, or if only a small portion are found out of the original number, to substitute some private enemy in their place, or to swell the list by a few additions, is no very hard task. Gomastahs and Naibs are not found, to have many scruples on the point, or to be at all tender hearted in carrying out the hints of their superiors or the dictates of their private malice. The retribution in an affray will then, in nine cases out of ten, assume a complexion somewhat as follows. A fight takes place, both parties are partly wrong, and the one glaringly so. The Zemindar on the one hand and the Indigo Planter on the other escape, unwhipped of justice, but lament, like the old Jew Fagan, the loss of one or two of their "best hands," or Sirdar Lattials: out of some sixty, seventy or one hundred men, ten or a dozen are punished and some two or three innocent persons included in the list. The horizon is all the clearer for the storm, and the country, for the next year or so, is quiet; but a recurrence of the old cause may bring about at any time the same disgraceful occurrences, to be followed in the end by the same inefficient conclusions.

It may be a matter of wonder that the Bengali, so timid by nature, should be as ready to fight as the Irishman at Donnybrook Fair; but savage atrocity and cowardice are not unfrequently linked together. We doubt indeed if many Bengali Lattials would engage with good will in the *duellum*. But in an affray, where numbers give a sort of security, they are as efficient, as Captain Colepepper would have been in a street fight in Alsatia with the Mohawks, or when firing at Lord Dalgarno from behind a hedge. They wield the club, throw surkies (a sharp pointed javelin) from a tree or bush with most unerring precision, and not unfrequently are efficient swordsmen, if deep and ghastly wounds are any test of effici-

ency.* The *Ferazi* too can fight, and—single exception to the general rule—can boast of it afterwards to the official without scruple. But the Up-country Hindustani, who is true and faithful to his salt and will lay on or hold off at the slightest nod of his master, is generally prized far higher than either of the above.

We assure our readers that in the above sketch, we are considerably within the bounds of truth. We have weighed our expressions and softened them down whenever they seemed to convey a statement which men unacquainted with the Mofussil would suspect of inaccuracy, or an allusion to circumstances true in the main, but of uncommon occurrence. We have no fear of the most rigid scrutiny. Any European or Native who has resided in the Mofussil for a couple of years will testify to the truth of our narrative. But it must be remembered that hitherto we have been speaking of the *past*. We have been handling a set of men, who have long left the country and whose deeds are a tale. It will be allowed that, within the last three years, affrays in the Indigo districts of Bengal have much decreased. Not that Lattials are a mere name or that they are not employed even to this day on special occasions. But atrocities have of late been less common and many of the large concerns carry on their dealings in a much better spirit. Still however the *vestigia flammæ* are to be met with. The Lattial system has been well termed, by a high and competent authority, "an armed neutrality." To protect the Tahsildar in his collections of the rents; to remain at the Sudder Factory and present the appearance of readiness for action on the great principle that preparation for war is the best security for peace; to aid the Amin on his rounds or the Nil Khalassi on his invidious duties; to watch over those who sow Indigo, which in the revolution of chances they may never

* The Ferazis are the same men who under Titú Mír gave the Government such trouble in the Barasct district some fourteen years ago. They are at present headed by one Dúdhú Miyan, and abound in the districts of Dacca, Furídpúr and Bakergunge. Their chief styles himself "Sirdar-al Mominan or head of the believers," to the exclusion of all other Musalmans from the pale of orthodoxy. The chief tenets of these worthies are, that murder and perjury in behalf of one of the sect, are not only pardonable but praiseworthy. We recommend Government to keep an eye on these gentlemen. If any disturbance now take place in Lower Bengal, it will be through the instrumentality of the Ferazis, and though a company of Sepoys might put them down, yet it would not be without a considerable effusion of blood. In the Lattial system we must remember, that there are many men who practise it as a regular profession, without other means of livelihood, save an occasional Dakoity, while there are others, who are peaceable enough as cultivators, until their rights are invaded, when they manifest a surprising alacrity in taking up arms. We know some villages, where every other man, at some time or other in the last ten years, has had occasion to play his part as a *Lattial*.

be destined to reap, and sometimes in the indistinctness of land-marks to reap for the hand that had never sown:—for all these purposes the Lattial is still employed. It was in the consciousness of what had been, and what might, at any time, be the case again, that the Superintendent of Police proposed to the Government of India his stern but equitable law. It was to the effect that, in every case of affray the proprietor of the concern, or the Zemindar, *for whose benefit the affray was undertaken*, should undergo six months' imprisonment, without any proof of his presence at the scene of action, without even distinct proof that he had authorized the disturbance, but with the sole understanding that he had benefited by it, and this too whether the Zemindar had been smoking his húkah in his summer residence at Cossipore, or the planter had that day been at a different Factory some thirty miles off from the battle field. Such a proposition is indeed startling to the ears of all men accustomed to think that innocence must be inferred until guilt is directly proved. It would of course be argued that, to punish a man by imprisonment, and that in such a climate as this, for an event which took place at a distance from his residence, and on the bare assumption that it was done for his benefit, would be directly contrary to the first principles of humanity, justice, or even common sense. But laws must be suited to the society they are intended to protect, and with the *spirit* of the above and its adaptation to mofussil life, we have not the slightest fault to find. It is almost puerile to argue that Planter and Zemindar are not perfectly aware of the means which their Head-man will employ, or what resources will be sought if the law is deemed defective. The boldest native agent who ever oppressed a population of Ryots, would never dare for an instant to muster Lattials, unless he were secure of the approbation of his master; the Lattial, like Harry Wynd, would soon be tired of "fighting for his own hand," if he had no confidence in the full purses of the concern. There would be no fear either of a misapplication of the above punishment. In all cases where an affray occurred, a local investigation by the Magistrate, Joint or Deputy Magistrate (for we would trust no native official) would soon show who had been the first to cross the Rubicon; and one example of the act would raise up such unpleasant visions before the eyes of great landholders that affrays and Lattials would become mere shadows of the past. But while we feel almost certain that it would never be necessary to put the above law in force, we are quite sure that every well intentioned Planter would rejoice in its promulga-

tion. He then would be the last to desert the Magistrate's Court and would allow the enemy to muster his forces unheeded, with the prospect of six months in jail. It may be that while quite agreeing with the *spirit* of a law, which would go at once to the fountain head and make the king answerable for the misdeeds of his Satraps—the Bengali Fergus MeIvor for the battles of his clan—we would suggest a change in the form it should assume. We repeat it once more, and every honest planter will, and has, allowed the fact, that the master knows the consequences of his hints to be as certain as those of the most direct and explicit orders in the common occurrences of daily life. He knows that certain effects will ensue from certain causes, as well as he knows, humanly speaking, that to-morrow's sun will rise when the night is past. How common was it, and is it still, in Mofussil Society, to hear the battles of last season descanted on as coolly as if they had been undertaken for the public good: the prospects of the coming year, a quiet or a turbulent one, discussed with as much freedom as those of an approaching campaign. The number of killed and wounded at Múdki or Aliwal, and the probable changes at Lahore in the course of the cold weather, have never been conned over with less restraint than the battles in behalf of the humble Indigo Plant. If then our Legislators deem direct imprisonment too severe, let the punishment take the shape of a good round fine, say, some 10,000 Rupees as the price of every affray.

Neither the strong boxes of Calcutta houses nor the treasuries of Zemindars would stand a second application of the remedy. Affrays, we repeat it, have decreased, but they may be revived in all their pristine vigour at any time, and they will never be entirely put down without fear of recurrence, until a Law, in spirit if not in form, resembling Mr. Dampier's, shall quell all angry passions by the strong tie of self-interest. It is worse than useless, to punish Lattials, whose place can be filled on the following day. They spring up again like the heads of the Hydra. Law, like Iolas, should come to the assistance of Hercules—*vinci dolentem*—and sear the dread source whence the monster brood arose.

But, it may be asked, has nothing been done to prevent affrays for the period of forty years? Have no means been provided for the speedy adjustment of boundary disputes and the preservation of territorial rights? We are able, in reply to this question, to point with satisfaction to one enactment, which, from its wide comprehensiveness, its facility of applica-

tion and its peculiar fitness for the temperament of the nation, appears to us as one of the most admirable laws ever devised by any Government in the world, for the benefit of its subjects. We know not whose statesman-like mind it was that first gave birth to the famous *Act IV.* of 1840, but we are confident that all the collected experience of ancient and modern times never produced a more equitable and efficient law. The law itself, like all those of real and solid utility, is brief but explicit. Its first object is to give the Magistrate the power of adjusting by a summary suit "any dispute, likely to induce a breach of the peace," concerning "land, premises, fisheries, crops, or other produce of land." The magistrate, on scenting an approaching fight between two belligerent parties, immediately puts the point in dispute under the act in question, gives notice to both parties, allows them a reasonable time to prepare their witnesses and documents, hears all that the eager Mukhtiars can possibly allege for, or against the plea, and finally adjudges to one or the other that possession, which is quaintly deemed in England to be "nine points of the law." But it is not always necessary that the Magistrate should interpose his vote on a fight; a single individual, who complains of ejectment, within the month, may be reinstated by the same powerful instrument, or a class of persons, claiming a right of way, of pasture, or of water, may obtain the decree reserving the right open for their use, in spite of the powerful Zemindar and a whole host of his myrmidons. Before the year 1840 there was indeed a Regulation, known as the XVth of 1824, by which the real landholder might contest in a summary suit for possession of estates in the Criminal Court, without the long harassing delay of a Civil cause. But such a Regulation, restricted solely to the Zemindar, was manifestly inadequate to meet all the contingencies of farming out and subletting and alienation of rights. The Ijarahdar, the Middleman, the Ryot, received no aid from its promulgation. It was a law solely for the great man; it was applicable only to the possession of large estates or the disputes on their boundaries. But there is no invidious limit to the Regulation we are now handling. It may be applied with equal readiness to suit the highest and humblest; to every variety of right; to lands of every possible size; to tenures in all their repeated changes and their successive modifications. When some Bengali Ahab would fain incorporate with his broad acres the vineyard of Naboth, the law interposes and secures to the poor man,—by a rapid and inexpensive process—the humble inheritance of his

fathers which he may not alienate. When two prototypes of Jock of Dawston and Dandie Dinmont are quarrelling about some boundary, the possession of which would enable them to feed one or "aiblins two hogs" more in the year, the law interposes with equal success and compels them to resort to the tedium of a civil suit. But mere land, so many acres of pasture or of arable, is not the only cause of quarrel to the litigious Bengali, and ready as he is to dispute about rights of way, or of water, about the possession of the crop, if he has no claim to that of the soil, the law in its adaptiveness will meet him in every emergency. Zemindaries and Taluks; Ijarahs and Dar-ijarahs; the heavy paddy-land and the sandy-chur; estates of thousands of bigahs and plots of two cottahs, shares of eight, ten, or fourteen annas; rights of fishery in tanks, creeks, or rivers; rights of way through the village or over the plain; licences to keep ferry boats and to use certain ghats; privileges to the Hindu of hauling the huge car of Jaganath, at the Festival of the Rath Jatra, or to the Mussulman of enjoying the exclusive use of this or that Mosque; claims regarding the standing crop of corn or the uncut bed of Indigo; Factories, brick houses and huts of mat; tithes of Jalkar,* Bankar and Phalkar; under tenant's rights of Mourusi, Mukarrurri, Ganthi; Christian, Mussulman and Hindu; Planter, Zemindar, Middleman, and Ryot—this admirable law is fitted for every one of the above, and, in its practical working, has often proved incontestibly that it can choke in the bud a growing quarrel between two rich men, or give to the *Meunier* Sans Souci the inestimable blessing of cheap and speedy justice against the Prince of Potsdam arrayed in all his sovereignty.

While legislating for the natives of India, and especially for those of Lower Bengal, the Law-giver must have often been struck by the thought that the very weapon, he is forging to be a protection or a safeguard, may hereafter be turned into an engine of oppression and fraud. To give laws suited to a simple state of society, where men are just emerging from barbarism, is a task which seems to require little more than very strong common sense. But how difficult to legislate for a community characterised by the worst features of a decline and fall, without any remnant of the sterling old morality, and

* We have thought it almost useless to explain any of these terms, at length. Jalkar and his followers are merely tithes of water, wood, and fruits, and the under tenures on the next line are merely specimens of a class whose name is legion, and who vary in almost every district. Of these the Ganthidar are the most troublesome, and are those whose rights are least clear.

by some which belong to the earliest state of uncivilized savages! How infamous the oppression—the abominable injustices perpetrated under the cloke of the Regulations for the recovery of arrears of rent! But no such unpleasant reflections are suggested by the contemplation of the working of Act IV. Were it in all cases, without a single exception, laid down as a rule, that the question of *possession* at the time of the dispute, and not the actual right, however clear and undoubted in law and equity, were the only consideration by which the Magistrate could regulate his judgment, then Act IV. would often be a curse and not a blessing. Then it would be easy for men to take farms and tenures under mutual compacts for a time, and to keep them under the cloke of the summary suit for at least a year or more beyond. Reference to the civil court in such a case, which to the litigious Zemindar would be only an opportunity for indulging his hobby, would be grave irony to the Ryot, and in many cases would press hard, even on small Talukdars, by removing the attainment of their dues just one step farther. But a judicious clause provides that nothing in the Act shall affect the legal exercise of any right of attachment or seizure, *vested by law* in any party, and a construction of the Sudder Adalut also explicitly declares that it is the duty of a Magistrate to ascertain whether the party complaining be ejected by another party exercising a legal right, and only endeavouring to enforce it; and should the complainant be some tenant, whose lease has expired and who yet refuses to give up his hold, Act IV. comes in again, not to support him in his evidently unjust proceeding, but to anticipate, with inconceivable rapidity, the delays of a civil suit and reinstate the owner at the cost of some ten rupees!

We must now take our leave of this invaluable Regulation, the mainstay of Magistrates in foul and squally weather. It is of course impossible, in the compass of an article like the present, to show by illustration the number and diversity of cases to which it is applicable; to show how at one time it reserves itself solely for the question of possession, at another anticipates, at another follows the law; how it is never disfigured by quiddities or quiblets; can rarely, if ever, be used as an instrument of oppression to the poor: is never opposed to the great unwritten principles of justice. In England, where men "know their rights, and knowing, dare maintain," the Law of Act. IV. would of course be either a dead letter or a hardship, when used. The necessity for it would not be understood. But in a country where we have to deal

with oppression and selfishness on the part of the great, angry and low passions in the middling classes, and litigiousness and falsehood on all sides, where men are ready to take every advantage of an opponent and where honour and fair dealing are mere names, the value of such a Regulation is daily appreciated by those who seek or those who administer justice. We trust that enough has now been done to demonstrate its utility, as the great purifier of the Law's delay and the proud man's contumely. Still it is not gifted with either ubiquity or universality, and though its judicious application may prevent affrays, we submit that their prevention ought not to be left to the sole security of the Magistrate's capacity, or the disposition of the complainant to seek for legal redress. While raising our voice in praise of the Enactment, we must repeat that for the abolition of affrays, root and branch, we see no remedy save in Mr. Dampier's Law.

We have now concluded the most unpleasing part of our subject, and we hasten from the picture of the Planter, battling his way by Lattials in the field, or by numberless cases in the Court, to the same individual as he is now, a landholder engaged in the cultivation of the plant, to be ruined, or, at most, barely enabled to keep his head above water at the end of five years, or repairing home at the same epoch by the Overland Route with a competency for the remainder of his days. On the export of Indigo and its probable sale in the London market, we shall not touch, but we will endeavour to show something of the system by which the cultivation is now carried on in Lower Bengal, and of the favour it obtains in the eyes of the native community. Now we cannot help starting with the proposition that the cultivation of Indigo amongst the Ryots is unpopular in the highest degree. We draw our conclusions, not from isolated cases or exaggerated stories of oppression, but from the admissions of old and experienced Planters themselves, from the reasons adduced by respectable natives of the better class, and from the feeling prevalent amidst the Ryots of a large tract of country, to whose testimony all other arguments should infallibly yield. The reason why it is unpopular will be best seen by a sketch of the subject of cultivation. But before commencing, we must protest against our description being taken as applicable to any single Factory or even to any one District. There are general features of which all partake, but there are equally distinct and peculiar characteristics belonging to each concern. One man draws the tether in, the other relaxes it; one man exercises

a vigilant superintendence over his subordinates, the other is careless and negligent; one man has his own system of squaring accounts with the Ryots, and the other never squares them at all; one man is harsh and exacts fines on all occasions, the other though firm and decisive aims at and obtains a paternal authority. The prevailing custom on the banks of the Brahmaputra is unknown on the churs of the Poddha, and the law of right at Dacca is incomprehensible at Kishnagur. But there are some great divisions never wholly lost sight of, and their nature we will endeavour to describe. The cultivation is divided into two parts, one carried on at the grounds near the factory by its coolies and other servants, and termed *khas khamar* or *nij abad*, the other by giving advances to the Ryots under the Persian term *Dadan*, at so much a bigah. Of the first method we have but little to say. It is generally of much less extent than its comrade, requires considerable outlay and no less surveillance, and though yielding a fair profit, never reaches in a good season to any thing like the results of that cultivated by Ryots.* It is on this latter that the hopes of the Indigo-planter rest; it is for this that he most implores the genial showers of Phalgun or Choitra and deprecates the deluge of the watery Asarha. The Amín and his satellite or *nil khalassi* have been deputed to the villages to select out the high and sandy locations which may seem most fitted to receive the Indigo crop. The unmistakable Factory mark is then cut out on the turf, and the Ryot is sometimes forced by violence and oppression, but more frequently by the power of words and promises to accept the two Rupees per bigah, which is the almost universal rate of advance in all the Indigo concerns. The advances are often given in the fall of the year, when the Ryot is most in want of ready money before the winter crop of rice is cut, and it not unfrequently happens that when sowing time approaches, he displays most unequivocal intentions of not abiding by his contract. Either he may have himself repented of the contract, or the undertenant of the landholder, a great man in the village, may have used his sinister influence, or the emissaries of the rival Zemindar may have been at work. But whatever be the cause, the Planter has in this case no resort save a

* In the *nij* the expense of the cultivation falls entirely on the Planter, in the *dadan* it is all laid on the shoulders of the Ryots. Some men, we are sorry to say, take the land for their *nij* and never pay the Ryots its fair rent, and these same men in the use of *dadan* are the readiest with their fines and their peculiar code of punishments.

civil suit for breach of contract, in which he may gain the original sum with costs, and a compensation of twenty Rupees for every bigah, but with the decree of the Court in his hand, may be very far from realizing a fraction of the amount. The Ryot who was previously known in the village as a man of flocks and herds, with a plough or two and a train of lusty oxen, has suddenly dwindled down into a penniless out-cast. His substantial appearance has wasted away into a mere skeleton, his pastures and his herds are as the mirage of the desert. Bullocks and utensils, kids and goats are safe under the protection of his patron and the planter's opponent; his very house and adjoining plot of grounds turn out to be the property of some distant relation, and the successful suitor in the Civil Court is often fortunate if he can realize by a tedious process the original amount of his advances. We do not think the above picture exaggerated in all cases where the hold of the Planter on the Ryot (whether gained by force or diplomacy) is weak, and liable to be shaken by adverse influences. Amongst the many inadequate laws in our Mofussil Courts, this is one of the foremost. Where the Planter's rights are manifestly set at nought, and his dealings have from the first been according to law, it is a poor satisfaction to get an unmeaning piece of paper, instead of downright cash, and moreover it is this uncertainty in suits for recovery of advances which drives the more unprincipled *to sow lands by force* with the aid of a strong body of Lattials; an uncertainty which may of course palliate, though it can not absolve, the guilt of the party employing them. But this is not the case where the Planter carries things with a high hand, and we return from our short digression to the cultivation of the Plant. As soon as the ever watchful eye of the Planter has seen the lands well soaked with a "sowing shower," the godowns are unlocked and the huge store of seed, bought up from the Ryots who sow for the purpose, or saved from last year, is distributed to the expectant cultivators at the rate of from four to eight annas a seer. The lands are then sown, and as soon as the young plant attains a sufficient maturity, it has to be weeded from the grass and low jungle which springs up under the damp and heat of Bengal with the rapidity of magic. This operation, known to the Ryot as *Nirani*, is a fertile source of vexation in many concerns. The Ryot is perhaps indolent and would naturally rather look after his crop of rice on which rent and subsistence mainly depend. The Factory servants or hired coolies must then be sent to perform the necessary

duty, and a charge of some two annas per man for weeding is entered against the defaulter's name. But at length the months of July and August arrive, and the fine waving crop of green plant here and there unluckily falling into the "sere and yellow leaf" is speedily cleared from sandy chur and sloping bank. At a fair return, the bigah yields ten bundles of the plant; on fortunate and bumper seasons, as many as twenty; and between these two extremes, perhaps below the last, there are of course a dozen varying returns to excite the hopes and fears of the planter. But in fair years at the rate of ten bundles a bigah when godowns are full and chests are ranged in order to convey the deep rich coloured cakes to the commerical capital how fares the Ryot on the day of squaring accounts? His advance of two rupees is set against the return he makes in bundles, and these are purchased by most Planters at the rate of four bundles to the rupee or two rupees eight annas a bigah. But from this must be deducted the rent of the ground, the money for weeding, the price of the seeds, a fine, it may be, for some alledged misconduct or neglect, and the original advance; we may then easily imagine that the advance of two rupees leaves the Ryot deep or at least hard fast in the books of the concern, without the slightest prospect of ever regaining his lost independence. Of course we cannot pretend to say that every individual Ryot in every concern fares as above, and we beg to remind our readers once more of the impossibility of giving a description of the advance system which will suit all cases exactly. But we are quite certain, and every Ryot is aware of it, that there is no power of regression when once entered down in black and white. To prove this by the simplest and surest method, we have only to refer to the number of bad balances, which literally swarm in every Planter's ledger, which continue sometimes at the same rate, sometimes increasing for years together, and are handed down as heir-looms to the next successor or manager. Let the cause assigned in mitigation be a poor season, or improvidence on the Ryot's part, or a failure in the rice crop, or any other excuse which sophistry can devise, the fact is most clear and indisputable. The Ryot once caught is never released, and the debt once incurred may be transmitted from father to son, growing in the transfer by the most steady and solemn progression. Of course a succession of bad seasons renders the bond closer and the prospect of release more hopeless. But even in the most successful seasons and with those honourable exceptions who

think fit to make the Ryot a sharer in their good fortune, his profits in the end, dwindle down into nothing. We will contrast the condition of a Ryot who sows both Indigo and rice with that of one who confines himself solely to the latter. When the rains fall too rapidly and the rice crop is literally drowned, nothing can be more pitiable than the state of the cultivator of rice alone. His daily bread is gone, and he must sell his bullocks, and steal, starve, or earn a precarious subsistence by taking service, or by handicraft. He is deeply in debt to the Mahajan or money-lender and this worthy invariably commences to exact his dues by laying hold of his oxen and his cows. But suppose the Ryot, out of eight bigahs, to have given up two to Indigo. His rice crop is gone and the Indigo produce is only middling, but still the very dependance on the house is a relief. The very thing which in a good season and in his old independent state was his great curse, in the evil day becomes almost a blessing. He may borrow too from the planter, and the latter will lend from feelings in which interest certainly has a large share, but from which benevolence and honesty of purpose is not wholly excluded. Although it may be argued that to lend to the Ryot only secures the Planter's hold over him; that a few rupees given in the time of want is an earnest of his sowing two or more additional bigahs in March or April; yet we would willingly believe that there are men whose conduct in such instances is regulated by the compassion, the sincerity and the kindness of Christians. Let us however take the reverse of the picture. Let us imagine a good season such as teeming Bengal has not unfrequently seen, such as no other country, perhaps in the world, can hope to equal. The sun of May and June has been as deadly and fierce as ever: but the former and the latter rains, so true is the old scriptural expression, have been given in their due season; have been distributed in such gradual succession that the plant has never been deprived of moisture at the roots by a long continued drought, nor again been deluged in one night by the sudden arrears of a tropical storm. On the high banks stands thick and yellow the early September crop; and all the lower grounds, where lies the black rich earth, are literally waving with a wide and unbroken sea of green. The land has at length answered the wishes of the cultivator and he may reckon on each bigah as yielding from five and six to nine and even ten rupees. From this his rent must be paid, and that demand satisfied, he has to return the money borrowed

from the Mahajan at the rate of one rupee eight annas, or upwards, for the rupee, that is, at the rate of at least fifty per cent. When he has done this, he is free from all claim whatever; he is clear of his Zemindar, his Middleman, his Money-lender; he is no longer cogitating on joining the nearest band of Dakoits; he feels and appreciates the blessing of independence. But far more numerous are the demands on him who may have shared in the overflowing cup of the Planter. The great man's great man, the Amín, the obnoxious Khalassi, demand their portions, and what Ryot can refuse them? when each has obtained his dues, it may be easily imagined that little remains over and above. Contrast this with the certain reward and the few demands on a cultivator of rice lands; and it will not be wondered at, if the Ryots should prefer the Rice to Indigo, the Mahajan to the Planter. We might write pages more on the above, but our object is to give a general view of the whole scheme without descending into particulars which are fanciful and often isolated as examples. The leading points in the cultivation of Indigo by advances may be stated as follows: that from a variety of causes, some primary and some incidental, the system is highly unpopular with the Ryots; that in bad and moderate seasons it is a losing concern to them, and in the most prosperous no gain; that once entrapped, there is no chance of quittance, and that the cultivation of rice—taken one year with another—is infinitely more profitable to them than the most plenteous return of Indigo from the fullest season in the largest concern in all Lower Bengal.*

It must not however be inferred that the Indigo system is

* In order to make the whole thing clearer, we have drawn out a sort of debtor and creditor account, and we are tolerably confident that in nine out of ten concerns we should not be very far from the mark. The Ryot gets two rupees advance for every bigah he sows, if not every year, at least on the *first* season of sowing. This of course is repaid to the Planter immediately the plant is cut, but still the Ryot has had the enjoyment of his money, a loan without interest, and repaid at the interval of some six or eight months. The Ryot then gets from his bigah, say ten bundles.

Ten bundles = 2 rupees 8 annas, at 4 bundles the rupee.

But the Ryot has the following claims to satisfy:—

Rent of the land = 12 annas, *at the least.*
Seed at four seers per
Bigah, and four annas per
Seer..... = 1 rupee.

Two Rupees being repaid to the Planter, eight annas remain to pay off—one Rupee twelve annas.

. . . One rupee four annas remain against the Ryot's name. We again beg to remind our readers how impossible it is to draw out an account which will suit every factory, but in the price of the seed and in the rent of the land we have taken an exceedingly low average, and ten bundles per bigah is the general return of the plant. When it does reach to twenty, then the Ryot may be the gainer. Some firms however insist on having five bundles for the rupee.

unredeemed by any better features, or that it confers no benefits on the lower part of the population. Directly, indeed, it is viewed by them as a great evil, but once in the Planter's hand, they may fare considerably better than under any native Zemindar. The character of the Planter will of course have every thing to do with the alleviation of their condition or the reverse. When the rule of the Planter is established and his cultivation has assumed a fixed and determinate character, it is easy to conceive that the jurisdiction may be almost patriarchal. Cutcherry is a term confined to no one class, nor restricted only to the body of men who carry on the Judicial and the Revenue operations of Government. The greatest Zemindar, the humblest Middleman, have each a mat house of more imposing exterior than the villager's hut, in which they settle their accounts. The Planter too has his office in which he sits at least three times a week: an unpaid Magistrate, in the midst of a population clamorous for justice. Though his title is unrecognized at head quarters and his name may not be down in any list of the Civil or the Uncovenanted Service, yet he rightly exercises that authority which must ever belong to the landlord over his tenants in any country in the world, and which may be used for an engine of good in none so much as in India. "When the Ryots turn against a Planter," said one oldest of the class in our hearing, "*I give him up*"—that is, when the opposing Zemindar is beaten off the field, and the Middlemen are all subservient, if then the Planter cannot manage his Ryots, if they are unwilling to go near his Factory or to ask his aid—he is indeed one of the black sheep who aid in maintaining the bad character already gained. But if he is "Dictu affabilis," then petitions swarm in his presence. Quarrels amongst near relations regarding the division of their small inheritance, disputes about the loss of caste, petty trespass and assaults on *hurmat* or dignity,—all those minute and trivial occurrences which involve no direct breach of the Law and would in all probability be dismissed by a Magistrate, are listened to and decided by him with expedition and equity. He reconciles the uncle who is quarrelling with the son of his deceased brother; orders the unlucky wight, who, on the plea of forfeited caste, is ejected from his social circle, to purchase restitution of the treasure by a feast to all the tribe; sends his deputy, often a native as honest and respectable as may be found, to settle this or that boundary dispute, and at times does his utmost to bring the burglar and the robber to justice, or at any rate aids the native officials in the pursuit. It is

inconceivable how the landholder may check or aid the progress of crime in his dominions. With a very little trouble to himself, he may know the character of almost every one of his Ryots, the haunts of crime and dishonesty, and the places to which receivers of stolen property resort. Where the property or land is of moderate extent, no single Ryot ever thinks of going to the Magistrate, in a case of wounding, unpremeditated affray or burglary, without first giving notice to the Planter, or at least to his head-man. We leave it to our readers to conceive the power for good or evil possessed by a man supreme in his own jurisdiction, without any turbulent neighbour, and above all possessed of kindly feeling and strong common sense. We are certain that there are several, in whom the power enjoyed and the use made, is no more than what we have just described. But there is of course a reverse to the picture. There *are* still those Planters, whose name bears an ill savour with high and low, with Zemindar and Middleman, with Magistrate and Ryot. There are the hard task-masters who never sit in Cutcherry but to fine or to oppress; who never summon the Ryot but to squeeze out one rupee more; who carry on all those unfair practices just without the pale of the law, and the cognizance of which must be left to a higher power than any on earth; who connive, either directly or by gross and culpable negligence, at perjury and fraud to win some paltry end. To such men the Ryots *never* go of their own free will. But a man will be liked or disliked, though not ranked in the preceding class, according as he practises or abstains from the following ways of doing business and means of keeping the Ryots in check. If he invariably charges or attempts to charge an additional four or six annas *ijarahdari;* if he will never allow the Ryot to sow a cold weather crop on the Indigo lands, on the plea that the soil is thereby impoverished; if his land measure is larger than the regular Pergunnah standard, and his bundle of Indigo of greater size than the fair average; if he always demands that his Indigo land should be looked to before a single furrow can be ploughed in the regular paddy-field; if his pound for cattle is never without a couple or so of bullocks driven there by the Khalassi on the charge of damage done to Indigo; if he will not investigate the conduct of his Amin and his Naib and is ready to believe every charge they think fit to prefer against individuals; if such be his practices he must be disliked, though his rights be unmolested and he may never have occasion to use Lattials once in the whole twelve months.

We have no desire to dwell any futher on the delinquencies of the class. It is sufficient for us that the picture of the good and the bad is in neither case over-drawn. We turn rather to the improvements in agriculture and in the physical state of the country, which, whenever they have occurred, are in a great measure to be ascribed to the energy of the Planters. Be the motive self interest or cupidity or some one better, the jungle has given way, where Indigo has been introduced. Acres once covered with the tall bulrush or the tapering cossia grass, now bristle in May and June with a goodly crop of Indigo; dense thickets, where the Tiger had made his lair and the wild sow had reared her brood, now clank with the kodali and the mattock of the Ryot. New villages have been founded and old ones, long deserted, have been repeopled; fields which have lain fallow, sand banks which were rightly thought as incapable of yielding a rice crop as the sand on the sea shore, have been made to give their yearly due. The great command to replenish the earth and subdue it, has been partially carried out. In spite of the general dislike of the Ryot to Indigo advances, he has confessed himself the gainer when land is reclaimed, and if ever he has been willing to sow, it has been when fallow lands—long disused—are again submitted to the plough or when the newly formed chur, which is useless as rice land, is to be sown with Indigo. No where has the contrast between European energy and Asiatic torpor been so signally displayed. Year after year the Zemindar, following obsequiously in the path of his ancestors, had seen the same patch of jungle growing up, which at best could only furnish materials for mats or cottage thatch. In some case he had looked on where nature had even advanced and cultivation receded from her empire: but where the native gazed in apathy, the new settler began to clear away. We could mention numerous instances where the rule of the Planter has been attended with the extension of agriculture and consequent benefit to the Ryots, but one example will suffice, as it illustrates most clearly the difference between the oriental and British character. A ravine or rather the bend of a river had in process of time been filled up by a yearly alluvial deposit, and as new and fertile land was immediately claimed by two old belligerents. After the usual amount of disputes, the quarrel was terminated by the authorities; a boundary line was drawn exactly down the middle of the old bed of the river, and an equal half thus secured to both. But now came the difference in the use made of the acquisition. The Zemin-

dar had been as anxious in the pursuit of his object as the most ardent European; he had contested every point and given up nothing even to the last. But he had no intention of deriving benefit himself or allowing others to derive any from what it had cost him so much to gain. Months and months the land lay fallow and the increasing jungle sprung up. But the planter in the course of two years had nearly the whole in cultivation, and when we last visited the place, it was already sprouting with the promise of an excellent crop. It seemed as if the boundary line, drawn by the Deputy Collector, had realised the old story of the knife, which on one side was impregnated with poison and withered all it touched, on the other bestowed healing juices and the vigorous sap of life.

The advantages which might be augured from the presence of a body of Europeans, unconnected with Government, amongst the natives of Lower Bengal, are naturally divided into the moral, the physical, and the intellectual. Our readers will judge from the general tenor of the foregoing pages what must have been the moral effect of the introduction of Indigo in the Province of Lower Bengal. But they will bear in mind that the charge of absenteeism which is one so often brought with justice against the native Zemindar, is unknown in that of the Planter. The former spends his revenue in senseless follies at Calcutta, and the crimes perpetrated in his absence by his agents are not, in the eyes of the native, written down in his name. He quiets his conscience by the thought of great exaggeration in accounts of distress, and compounds for the gross neglect of his subjects,—for in truth the Ryots are no less, —by copious donations to the shrines of Kali and Jagannath. But the Planter must be in person on his estate or ijarah, for the greater part of the year. He must from purely personal and interested motives, if from no other, himself, superintend advances and his cultivation. He must ride over his own lands; hear complaints and settle disputes, and be the principal figure on the landscape. Hence whatever is done, there can be no mistake as to the principal agent. He cannot persuade others to aquiesce in his plea of ignorance. He can hardly even venture to put it forward himself. He is responsible in the eyes of all, for affrays and quarrels. He is known as a living and moving personage, not as a name and shadow. By this we do not mean to exculpate absentee landlords, whose apathy and extravagance we think more grossly culpable, more utterly inexcusable, more fitted for direct legal punishment, than many

in the catalogue of the sins of actual commission, but we mention it as one cause of the bad name which the Planters have obtained. Hitherto the really good Planter has been the exception, not the solitary one certainly—but still very far from the rule. The bad have unfortunately quite carried the day, and as a bad name is easily gained, and lost with difficulty, the Ryots look on with distrust, the Zemindars lay all the blame on the Planter, and the Europeans in the distance join in the voice of condemnation. Of course it may be said that the Planter on his estate must be more accountable for Ryot and Affray than the absent Zemindar, however wilful and scandalous be the selfish neglect of the latter. But we have brought this point out not to excuse the Planter in the least, but only to show why such *invidia* attaches itself to his name. His misdeeds stand out—it must be allowed—in clear, unbroken, unclouded sunshine. Whatever excuse may be reasonably alleged for the Planter—however great the temptation—however venial the fault—the consequences have been such as every Friend to India must deeply lament. The settler, who, some had hoped, would have been held up as an example of moderation, fair dealing and benevolence, is now notorious, in and out of Court, for oppression, rapaciousness, and inhumanity. The undisputed praise he has as yet gained, is the doubtful one of entertaining more able Lattials, paying them more readily and accomplishing his ends more speedily by their means, than can be done by any of the Native Zemindars. Such has been the effect of his moral example. The physical benefits we have already disposed of and here we are prepared to concede the fullest award of praise. The intellectual will be little else than a blank. We have no doubt but that, as the Planters become more and more landed proprietors, several will establish vernacular schools on their estates, in which the native children may learn at least to read and write. But as yet only one instance of the kind has come to our notice, which we will mention, though isolated, as it is some pleasure to record a bright exception to the general rule. We do know of one concern in the Lower Provinces, whose Ryots derive benefit for the body and the mind, where the ailing find relief in medicine and the children of the most bigoted Brahmins of Navadwipa do not hesitate to hear the Bible taught as a class book every day. While on this subject, we cannot forbear alluding to the banishment of the Bible in all Government places of Education. No one who has the slightest acquaintance with native feelings will surely tell us, that the

introduction of the Scriptures into Government Schools, would be followed by a rebellion in Bengal. The argument belongs to days long gone by. But the one on which the apologists of the system take their stand, is, that, as a Government, we have no right to influence or appear to influence, the religious feelings of the natives in the slightest degree; we have no right to throw the weight of authority into the scales of *conscience*. But without stopping to discuss the validity of this argument, we must remark, that, as a Government, we are certainly not justified, in not giving to the students of our Schools a correct and safe guide for their conduct. Bacon and Milton will not do this, nor indeed will any book *except one*. We are here talking just as if the Bible were not a divine revelation, just as if it only contained the best and purest precepts "*de officiis*" to be found in any religious book in any language. As such we would put it into the hands of Hindu and of Mussulman in all our Schools. Those who chose might invite the Hindu to bring any one of his shastras inculcating *pure virtue*, and read it for the sake of its moral lessons. The same might be done with the Mussulman in respect of his Koran, but we would not certainly educate a set of young men and cast them loose in society, without placing in their hand some one sure guide of conscience. This is the view taken of the case in the institution we have referred to above, and this way of dealing with the question seems to us not only unanswerable, but calculated to meet the scruples of the most conscientious individual, who might shrink at the thought that natives would be converted from personal and interested motives, if the Bible became a regular School-book.

It may be that, as the Planters spread over the country and the opprobrium hitherto attached to their name passes away, visions now dim and distant, will be realized in their brightest colours. It may be, that energies at present devoted only to the clearing of jungle and the increase of cultivation in land, from purely personal motives, may be turned to the clearance of that equally dense jungle of ignorance in which the native population are buried. We may hope to see Schools, the rule and not the exception, medicines doled out to the Ryot with as much regularity as the seed at sowing time; bridges built; roads laid down, embankments raised to prevent the encroachments of rivers; swamps drained; tanks dug; and physical, intellectual and even moral energy imparted by the master and eagerly received by the subject. One man cannot of course be expected to carry out all the above ideas, but some

one such project every one may and should undertake. Without any fear of the term "visionary," we confidently expect that the next twenty years will see a beneficial change in the dealings of the Planters and their general character amongst the people.

We have thus lightly sketched the principal features of a planter's life in the plains of Bengal. We have no leisure to linger on the lighter tints in the landscape; no room for a description of his hopes and fears, from the time when the young plant first shows its head on the smooth ground, to when the filled chests are conveyed in the unwieldly native barge, through the Sunderbuns, to one of the great Indigo marts at Calcutta. We cannot describe him as he stands some evening in the commencement of the hot weather, gazing with a vision more eager than the Yaksha, on a cloud-messenger, as welcome as the beautiful fiction of Calidasa; rejoicing when the dark mass bursts in all its fury on his parched lands; or when mounted on his gallant Arab at Mirpore or at Harisankar, with glittering spear in hand and nerves well braced by January's cold to quell the mighty boar in the hand to hand engagement. We leave it to such as have seen the ins and outs of the Mofussil, to descant on the style of life led by a Planter, at the head of a large concern, with rights long established and therefore secure; his generous hospitality, his frank and open deportment, his ready reception of the European traveller, his kindness to those Ryots who ask his aid or advice. But there is one feature in his present life on which we dwell with peculiar pleasure and which we cannot pass over now. Isolated from his fellow-men and surrounded by those of different colour and creed, the Indian of the "old school," the Indian so easily satirized, in by-gone novels and short-lived farces, was seldom without one of those wretched incumbrances which here and there still usurp the place of the wife. The practice, once so common even in Calcutta and other large stations, naturally ceased there, as soon as unmarried ladies began to "come out," from England, but lingered more tenaciously in out districts and isolated Factories. Its traces are now faint and fainter, and the Planter's house is often adorned by the presence of the pure English wife and the amiable English daughter, with feelings and tastes as genuine as those of residents in the country at home, and wanting only in the bright glow of English health to make the parallel complete.

The great error, which most men have fallen into when

estimating the characters of Indigo Planters, is in deeming them to be one and all of the same stamp and materials, with thoughts, tastes and habits of doing business all cast in the same unchanging mould. Like all other classes, they have those peculiar radical characteristics belonging to the profession, but they have also their constitutional differences as men. Amidst a number of men of all nations, English, Irish, Scotch, French, Italian and Portuguese, well educated, half educated and not educated at all; men with Factories of their own, acting as plenipotentiaries for Calcutta houses, or merely as assistants in charge of out-posts; with every variety of national temperament, the shrewd North countryman, the impetuous Southron, the unscrupulous Eurasian,—is it likely that the dealings of every one should be regulated by one and the same cut and dried form? Even an avowed enemy of the Planters would be forced to confess that the line of a celebrated epigrammatist might be applied to characterize their class:—

"Sunt bona—sunt quædam mediocria, sunt mala plura."

As in every other class of men, there are the good, the bad and the indifferent. The two latter classes—their slight temptations, their catching greedily at every opportunity of pushing ahead—have been sufficiently explained in the present article. But there *are* some genuinely good men in the class, and it is for them that we pen the present appeal. The signs of the times are unmistakeable and their present position in Lower Bengal seems to us exactly the turning point in the scale. To apply our comparison of small and great things once more, they are in the place which the Indian Government might be supposed to hold were all external wars concluded, and all the native princes at rest. The unruly Sikh disposed of, and the Punjab tranquillized, the statesman might turn from the field to the Council, and devise additional measures for the comfort and civilization of the subject. The Lattial system put down and the Talukdars no longer in arms—the Planter may turn from his clubmen to ameliorate the condition of the Ryot. Our Government once fairly supreme in the East, we have to do our appointed work without any regard to the steps by which our empire was forced upon us, however we might condemn them in a moral point of view. The Planters established as a body, must now set themselves to benefit the Ryots without scrutinizing, too minutely, the battles of former days, or the validity of title to village and Taluk. The Governor-General is not to give up Benares or Delhi because he disap-

proves of the policy of Hastings and Wellesley any more than Mr. Smith of the great Nilabad Factory is to give up his cultivation, because his predecessors some ten, twenty, or thirty years ago, were notorious as the most fighting men in all Lower Bengal. The Planters—and we speak to those who have the will to lead the way—have a great task before them. They cannot of course transmute the sensual and deceitful Bengali into the honest and hearty Englishman, any more than they can bestow the fine air of Leicestershire, on the swamps and marshes of Lower Bengal, or make the village buried in artificial jungle as healthy and smiling as the village-green at home. But they have a part to play on the Indian stage, in its way, as important as that of the most enlightened statesman; a duty as sacred as that of the holiest missionary. They have to wipe off the reproach which has hitherto been the undoubted heirloom of the Planter; they have to prove, not by sophistical arguments, but by plain and convicting facts, that Indigo may benefit the hut as well as the Factory; the Ryot as well as the Sahib: they have to set before the eyes of the natives, an example of a lord of broad acres, regulating his conduct towards his dark coloured inferiors by the same Christian Principles which would guide him when at home. When any half dozen of conscientious men shall come forward and say that they have tried the experiment of benevolence and kind dealing and that it has entirely failed; that the Ryots are incapable of gratitude or affection in the slightest degree; that the written laws will not enable them to get fair play with the higher class; and the unwritten precepts of kindness can get no return from lower;—then indeed we shall allow that there is no good in the Bengali and that mild and stringent measures are alike utterly vain. But till then we shall hope that the expedient may be resorted to, not by one here, or one there, but by numbers of individuals, backed by English capital, and guided by true Christian Principles of conduct.

ART. VI.—1. *The Journal of Sir Thomas Roe, Ambassador from His Majesty, King James the First, of England, to Jehanguire, the Mighty Emperor of India, commonly called the Great Mogul.*

2. *A new account of the East Indies, being the Observations and Remarks of Captain Alexander Hamilton; who spent his time there from the year* 1688 *to* 1723, *trading and travelling by sea and land, to most of the Countries and Islands of Commerce and Navigation, between the Cape of Good Hope and the Island of Japan.*

3. *A voyage from England to India in the year* 1754. *And an Historical Narrative of the operations of the Squadron and Army of India under the command of Vice Admiral Watson and Colonel Clive, in the years* 1755, 1756, 1757. *By Edward Ives, Esq.*

4. *Annals of the Hon'ble East India Company from their establishment, by the Charter of Elizabeth* 1600, *to the union of the London and English East India Companies* 1707-8. *By John Bruce, Esq.*

5. *History of the Mogul Dynasty, translated from the French of Father François Catron of the Society of Jesus.* 1826.

6. *Outline of the History of Bengal, by John C. Marshman. Serampore,* 1838.

7. *The East India Sketch-book, comprising an account of the present state of Society in Calcutta, Bombay, &c. in* 1832.

8. *A few Local Sketches, by John Mawson. Carey and Mendes, Calcutta,* 1846.

THE progress of the Annalist is that of a moral miner who works a good deal in the dark, since the taper, by the light of which his operations are conducted, sometimes burns very dimly indeed. He must ever and anon shade its flickering flame with his hand lest some sidewind should extinguish it. Sometimes, when by its glimmering light, he deems that the vein is likely to prove a feasible and profitable one, it all at once suddenly ceases. He must then, if a stern seeker after truth, leave off working in that direction, and following such indications as he best may, pierce a lode elsewhere, when perhaps he may be rewarded, by finding a continuation of that which he had previously laboured at. Not so the more speculative or imaginative inquirer. He is content with whatever he can pick up in any direction, and leaves the rest

to analogy and inference. He resembles a geological Naturalist, who finding the fossil claw of some extinct species of creature, reconstructs the whole animal, as it were, from the scientific stores of his own brain. Without inference and deduction, the historian would often be at fault, and have to close his lucubrations in despair. In seasons of abundance, people will have wheaten bread, but in those of dearth they must put up with what is available, be it ryebread, or cakes half made up of saw dust. A noble Duke, not long since, proposed to make up to the poor for the want of potatoes, and for dear bread, by an infusion of curry powder; deeming apparently that to tickle the palate and to fill the stomach with sustaining aliment, is the same thing. It is truly edifying sometimes to see how patriotic projectors would feed the people. Thus Mr. Parnel, the Author of "Maurice and Berghetta," an Irish novel, fully aware that it is not an easy matter for the Irish labourer to have a hot joint daily, gets at once out of the difficulty by shewing how the sturdy peasant may thrive capitally on cold meat. What with the thinnest Mulligatawney, and convenient cold meat, why should the poor man want, and why should not the Annalist, when positive evidence fails him, eke out with inference?

Our very familiarity with current things and events, makes us careless of noticing them. We are ever apt to forget that what is so well known to ourselves, is not known at all to others. How often will a distant friend taking for granted your participation of knowledge, allude in a letter, to the death of another friend, merely mentioning cursorily the bare fact, without stating any of the circumstances, thus painfully tantalising us. Another will tell you that you have 'of course'—heard of the—'lamentable scrape'—into which some mutual old acquaintance has fallen. Our omitting to register many things well known to ourselves, cannot fail to render them very obscure to posterity. It is seldom indeed that people note the minutiæ of the present; though by generations unborn, they would be as much prized as those of remote antiquity are by us. After Lord Byron's death, Mr. Moore and another friend, had some difficulty in deciding which foot was deformed. From indifference to familiar points and circumstances, those who shall follow us, may lose as much as we have done, from the omission or apathy of those who have preceded us. People rarely note down in a record likely to endure, details of every day life, save when they travel in foreign countries. One might desire to know how Semiramis dressed for an evening party, what wines and dishes Nebuchadnez-

zar most fancied, and what kind of conversation passed at his supper table. Would it not be very interesting to us, had an Egyptian Pepys given us the gossip about the court of the Pharaohs, or a Roman Boswell the sayings of the Augustan Literati?

It is the absence of accessaries, and the particulars of physiognomy, bearing and tone, that gives the dim obscure, characterising some phases of history. We perceive mere outlines flitting across its phantasmagoric field. We cannot realise life-like portraiture. We snatch parts but fail in catching a harmonic whole. The individuals and groups are like objects seen through slightly ruffled water. All is tremulous and indistinct. We have but a suggestion of form, and a trace of quality. We are as much tantalized as Geoffrey Crayons, when after all his efforts, he could only catch a sight of the receding back front—'of the Stout Gentleman,' or like the guests at Branksome Hall, where—

'Some saw a sight not seen by all
* * * * *
And on the spot where burst the brand,
Just where the page had flung him down,
Some saw an arm, and some a hand,
And some the waving of a gown.'

Various are the ways in which the reflecting man arrives at something like a consistent verity of form and character. The Antiquary and the Numismatist here lay us under greater obligations than the Sculptor or the Painter; or perhaps it were juster to say that the ruthless Vandalism which has not spared the master-pieces of the latter, had nevertheless, a hoarding instinct, that has served a good turn for posterity. To realize the individuals of history in all their integrity of life-like resemblance, till they become as palpable to the mind's eye, as those earnest, almost speaking portraits of Titian, that seem as if about to step out from the canvas, is no easy matter. At best when our memory of history yields up the dead, they are indeed, but dead. It is the valley of bones, but they do not receive the supernatural breath of revivification, nor stand up a great and terrible army. We are in a sort of Udolpho castle, and hear steps and sighs and groans, but behold nothing definite, and the catastrophe may be a lame and impotent conclusion; and all the bustle made, about what proves but a sort of lay figure of the fancy, as different perhaps from the genuine historic character, as 'the mild and innocent Hindu,' of our earlier fireside speculators on India, is from the unscrupulous Pindaree or truculent Thug. History sometimes, in dealing

with personalities, gives us only a nose and a chin, and we must piece up the face and person as we best may; giving eyes, whiskers, and hair; with undaunted liberality of pencil. After all, perhaps, when we deem that we have hit off an Emperor, a Consul, a Chief, or a great criminal well, we may only have achieved a mere lay figure of the imagination. How to construct such into moving fantocini, is a question to be considered; how our prototypes moved, dressed, and fed; how they talked and how they associated. In short, the whole economy of their life becomes an abstract question, a thing to be pondered on, measured, and determined, and yet comprising altogether, a train of items and circumstances, regarding which, history, as deeming them beneath her province, may perhaps be altogether silent.

At this day, when we have been gathering information from so many, and so various sources, how difficult it is for untravelled Europeans especially, to realize the whole pomp and circumstance of oriental characteristics. Even as relates to Europeans themselves adventuring to the Indies, it is not easy to picture forth with sufficient fidelity, traits of their sayings and doings, in days when men were too busy in scrambling for a footing to move in, and to 'occupy'—to dream of recording matters that were familiar to their every day experience; but which, the collision of national and political events, scarcely left them time to record, if inclined to do so. The genius of history too often reminds one, of a well known fascinating danseuse bounding in the *pas de l'ombre*, and striving to catch what she deems substance, in her own shadow. To the mass of English minds, to the million supposed to form the public, all that till very recently was known of India, might be comprised in the figure of the great Mogul upon the envelope of a pack of playing cards; or what a showman might troll forth *ore rotundo*, when inviting the "ladies and gemmen, to walk in and see the Royal Bengal Tiger all the way from the Eastern Ingies." To the majority of those who spend the best years of life in India, the native is only known, as it were, in his dress of ceremony. We see the outer raiment and movements of the living automaton, but the inner springs and pullies of the chess-player are beyond our ken. Our knowledge of motives in general, as laid down by western sages, will aid us very little in our endeavours to analyse those of the wily Asiatic. The interior economy of the native's household, his individual impulses, the scope of his ambition, and the summit of his desires, are quite beyond us. Of the turn of his domestic converse, thoughts, and felicities, we are almost

entirely ignorant. We know no more about them than we do of the domestic life of the ancient Assyrians. We have heard indeed of Europeans who could pass for natives in a group or a crowd. Burckhardt could pass among the Arabs as one of themselves, and we have heard from those who often saw and who knew him well in Egypt, that when in the Bedouin-garb, and speaking in character accordingly, there was no distinguishing him from an Arab peasant. Nevertheless how often was he suspected, and it was because he was suspected of not being what he appeared, that he was not allowed to visit the tomb of Aaron on Mount Hor. The probability is that had he been permitted to ascend, he would have seen no more Aaron's genuine tomb (if he had one) than he could have done on the summit of the Jung-frau, for our Moslem friends have shewn themselves, in their own fashion, quite as great adepts in tomb and shrine finding, as the Syrian monks; and that is saying much. We have never heard of an European who could pass for a Hindu out and out, or rather out and in. Christians have kissed the Kaaba, who were Mussulmans *pro hac vice*, but we have never heard of an European who could pass for a Brahman. Perhaps Horace Hayman Wilson might have done it, had he chosen to be at the trouble. We well remember the start of surprise, if not of terror, given by an up-country Brahman, on the Boden professor whispering a word in his ear. It was no doubt some potential and dread Muntra that he never imagined could issue from a Mlecha's mouth. The late Nathanial Brassey Halhed of the Bengal civil service (nephew of the author of the Grammar—the school-fellow at Harrow of Sheridan and Sir William Jones) could pass for a native, sit down, and smoke a pipe with any group he fancied, and never be recognised as an European. The Court language, or the patois of the provincial peasantry, came alike to him, as the whim might suggest. To pass into the domestic circle of a native on the other hand, is for any European, nearly an impossibility. Some, perhaps, in the lapse of time, when anglicised natives of Calcutta, may so far relax from prescriptive fetters, as to conform to European ideas, may be admitted within Native thresholds, but the prospect is still a remote one. The institution of caste and the restraints of *purdah nasheen* are formidable, and almost impassable obstacles in the way of any approach to domestic intimacy. In this respect there is a gulf between the races, which it will take perhaps ages to bridge over. The late General Stuart, (at one period of his life at least) conformed so much in externals to Brahmanical injunctions, that he was known

in the service by the name of "Hindu Stuart." His manners had the mild placidity of a well bred Hindu, conjoined with a cheerfulness that was very engaging. He was also a man of varied and extensive information, and was much beloved by the natives. While in command at Agra, we have heard that he used to go down to the river side, and join the natives in their ritual ablutions. A story is told of his having been refused admittance to the fort by the sentry, on his return late one evening, while masquerading in Hindu costume. On his declaring to the sepoy that he was the Colonel, he bluntly replied that he did not believe a word of it. The officer on guard was at length appealed to, nor did the sentry fare the worse, as his superior highly approved of his vigilant care, which was also complimentary to his own ability to beseem an orthodox Hindu. Major Carter too, managed to get in among the other pilgrims, into the penetralia of the temple of Juggernath. But that perhaps, is not so difficult a feat as getting into the holy mosque at Mecca. At least, a pilgrim ready to pay well, and having a sufficiently fluent knowledge of the vernacular, it strikes us, might experience no very great difficulty, in getting admission into the Juggernath fane. His situation would certainly be not a very enviable one were he discovered. Hinduism rejects all proselytism, religious or domestic. Wrapped up in the dusky panoply of its own overwcening pride, it withers some of the finest impulses, and chills the noblest aspirations of our nature. Skilful in words but superficial in knowledge, and reposing on a mythic basis, of hollow sophisms and labyrinthine abstractions, it shuns all approach to manly controversy, and glides away from any manifestation of stern intellectual discussion. Nevertheless though unchanging and unchangeable, as it boasts itself, yet is it on occasion, every thing by turns and nothing long; since there is no question of duty, or the breach of it, of fidelity and its contrary, but the common law of caste will modify, bend, or justify. True patriotism is as inconsistent with the spirit and working of its dissevering machinery, and the crushing rollers of its power; as the native dignity and spiritual vocation of woman, are with the polygamy and licentiousness it generates and cherishes.

From age to age the peculiarities of Asiatic customs have greatly interrupted and modified European intercourse, at the various places where trade, like the seed blown by the wind chanced to take root. It required years of apprenticeship to initiate the European adventurer in the complexities that beset his position and his prospects of success. To us

of later date, who are as it were, 'to the manner born'—it is difficult to form an accurate idea of the manifold obstacles that met our earlier predecessors at every turn; or to weigh with sufficient impartiality, the motives and inducements, that swayed men and measures, in times of shifting contingency, and great responsibility, combined with much insecurity to person and property; scarcely sufficiently considered in estimating the past. Some native sage has compared the Europeans in India to *Dímuks* or white ants, which from dark, or scarcely visible beginnings, pursue their determined objects insidiously and silently, destroying green forest trees, and in their excavated trunks building edifices, communicating by numerous galleries with the hardened clay pyramids, far and near, that denote where formerly flourished the far spreading cedars. Attacking every thing, devouring every thing, they undermine and sap and desolate. The simile is not a very flattering one, though it is not in some measure, without its aptitude either. But there are red and black ants as well as white ones, and as when Greek meets Greek, then comes the tug of war; so do these at fitting opportunities attack the poor *dímuk* without mercy, and with true utilitarian instinct, carry them to profitable account for home consumption. After all, however, there can be no question that in our early connexion with India, there was much, from the contemplation of which, the moralist will shrink, and the Christian protest against, with abhorrence. On the other hand, as it is the prerogative of the Supreme ruler to elaborate good out of evil, there is no resisting the impressive truth daily developing itself, with augmented and irresistible manifestation; that our connexion with India is working out, a gradual but grand scheme of regenerative power, of which, almost unconsciously to ourselves, we have been, and are the humble instruments.

It has been a fruitful theme of reproach, with friends as well as foes, that the whole aim of our Indian administrative machinery, has had reference more to the spoliation, than the improvement of the country. Our connexion at first was one of doubtful shifts and expedients, having no more reference to sway or dominion, than the Thracian shepherd (Maximin) had of ruling the Roman Empire, when he ran by the chariot of Septimius Severus. All we required, was liberty to have and carry. All we sought, reign after reign, and governor after governor, was safety; and permission to trade quietly and inoffensively. Even this was but grudgingly granted, or soon revoked, according to the convenience or profit of some understrapper in authority. The favour of one year was cancel-

led the next. Ineffectual remonstrance often followed on strokes of sordid, vexatious, and grasping acquisition. Out of the risks, rubs, and outrages, suffered by our adventurous countrymen, from political contingencies at home and abroad; arose a gradual but strengthening reaction, that led to results wholly unexpected, and scarcely wished for. Little by little, and when we seemed most desperately situated, a most mysterious power of attraction seemed to draw us unconsciously within the eddy of Asiatic eventuality, until unformed circumstances, and isolated elements of advantage, gradually approximated and cohered, giving firm standing ground, and a fulcrum to work upon, as opportunity might serve. To do justice to the English adventurers of former times, they must be compared with other European adventurers of their age. They must be ranged fairly with their contemporaries, and judged after a standard conformable to the morals, and manners, and politics of the time. Neither must the disturbing influences of these great levers of human action, (religion included) be lost sight of, considering that views in all of them, had a tendency to be extreme, and that many questions of great importance, were then open to discussion, and excited controversy, which have since settled down into things of course. We must also bear always in recollection, in the history of our Asiatic relations, that we were traders long before we were rulers, for after we obtained sway and dominion, the motives and reasoning natural and proper, in the one character, clung unseasonably to the other; just as old Rapid in the play though become a man of fortune and by position a gentleman, cannot for the life of him 'sink the Tailor.' More was also expected from traders than was reasonable or just. Such of our readers as have read the now forgotten works of Peter Pindar—for they have fallen into the retributive oblivion that is sure to overtake the productions of talent misapplied, and genius devoted to mere party malignity;—such of our readers as may happen to have perused them, may recollect the versified story of Sir Joseph Banks, who is represented by the poet as entertaining a theory, that fleas were akin to shell-fish. Accordingly the solemn philosopher after catching a sufficient number of the most agile of insects, proceeds to boil them, not doubting but that like Hudibras's Morn from 'black to red they soon would turn.' However, as is often the case with theories, the result was disappointing—and poor Sir Joseph in his vexation is made to exclaim—'Fleas are not lobsters *bless* their souls!' Historians deal with our governing traders in the same fashion. They are disappointed at their not, all at once, coming

forth as ready formed Medici, and merchant Princes. Looking for munificent and generous philanthropists, they are disgusted at beholding mere pedlers.

That there is no friendship in trade is an old familiar saying, we fear it may be even added that there is little benevolence in it, as a proximate principle. As well might we look for kindly sympathies in a spinning jenny, or sentiment from a steam engine. Evolving from small beginnings, the scheme of our progress and power in the East, resembles the copper vessel brought out of the muddy waters, by the net of the Arabian fisherman. Looking hungrily for a supper, instead of a fish, he finds an unpromising sealed copper vessel. Nevertheless it has an interest for him. He has a vague idea, that like a letter from the notorious Joseph Ady, it may furnish a clue that may lead to something to his advantage. He opens it, and out issues a smoke which mounts as high as the clouds, forming a thick mist, which extends itself along the sea and the shore, until at length it consolidates, and forms the most marvellous, gigantic, and potent of genii, brandishing a terrible scymitar. The very thickness of the smoke of circumstances, and the darkness of the excluding mist, or rather of the mystification, of Indian trading politics, shut out for a time the moral and social aspect of the Eastern hemisphere. Even to this day some of the effect remains, though the cause has ceased to operate; for India still in the estimation of too many, is a region rather to be shunned, than sought after by the general observer. Though this may be a matter of regret, it is neither unnatural nor surprising. It became a rule with the Company, to keep all the world exterior to themselves, in ignorance respecting their affairs, or the capabilities of their field of enterprise. It was the order of the day to conceal as much as possible from the greedy public; and to disclose no more than was absolutely necessary, and that to as few as possible, connected with their operations. They worked with their hands under a cloth like the Banians; the secret grips and touches by which matters were signified, and determined, being hidden from the rest of the world. To this they were moved by a strong instinct of self preservation and defence, knowing that there were sharp expectants looking on with wolfish eyes, and longing for the day of partition of monopoly, and going snacks for profits, if not of monopolizing monopoly. What the Company did, was as stated, in the course of the natural law of self preservation. The result was no less natural than the source and exercise of the policy. What is not understood scarcely attracts attention, and the distant and obscure

affect us slightly or not at all. Where there is an interest within interest, not to invite the inquirer to examine, but rather to obfuscate his visual powers, and to repel his approaches;—it is obvious as a general principle, that to attempt to survey such a field of operations, in all its diversified parts, or to analyze the operations themselves, will be given up as a bootless task. Recollecting this, it is puerile as some do, to express either surprise or indignation, at the indifference the English public have always manifested towards Indian affairs, an indifference no where more scandalously noticeable than in the bureaus of state, or in the senate house. To interest a people, the subject must be more or less popular. It must represent a whole and not a fraction. It must have various sides, and all easily approachable. It must appeal to general and natural sympathies. It must have a fireside as well as a far-off vitality of interest in and about it; and must come home to the bosom, as well as the business of men and families; and present an attractive aspect, to the mechanic's shed, and the lowly cottage, as well as the lordly hall. How in reason could the corporation called the East India Company, be expected at all times and seasons, and in the various vicissitudes of its struggles for being, to fulfil these conditions? What were they to the people more than any other Company? What to us, said invidious objectors, unconscious of being illustrators of the very selfishness they reprobated; what to us is this busy bustling Company? Founded in selfishness, cherished by selfishness; appealing by selfish means to selfish ends, impinging upon no common or generous feelings, and appealing to no large national interests, this corporate system is as alien to the minds and hearts of Englishmen, as the ring of Saturn, or the moons of Herschel. Be it so, but even the distant heavenly bodies have a generous interest for minds of an exalted and speculative turn; and a game at chess has been played with unwearying assiduity and zest, by persons between whom oceans flowed, and continents intervened. How much more then, must the interest increase with augmenting knowledge, of a country distant indeed, but teeming with life and resources! Even in their most unpromising day, Indian politics, dry as they were deemed, and caviare as they proved to the multitude, nevertheless, had their quid-nuncs; and occasional episodes of assassination, massacre and battle, or of lucky hits in trade, and extension of territory, have served to keep a few lounging readers, faintly aware that there was a place called India—somewhere in Surat or Bombay, Madras or Bengal. That the people were Moors the same as formerly held Grenada, or Gentoos a people wearing

muslins, and Kashmír shawls, and eating rice, and who worshipped the Cow, and were as gentle as lambs, and as harmless as doves, and drank nothing but the waters of the Cavery, and Godavery, the Nurbuddah, and Brahmaputra, which were branches of the great river Húgly, at the mouth of which Calcutta stood!

It cannot be denied that to the mere English reader, who occasionally is rather desultory in his prelections and predilections, scarcely any thing could be more irksome than the study of Indian annals, a sort of intellectual infernal region, guarded by the three headed monster Brahma, Vishnu, and Shiva. Where indeed, until a comparatively recent period, was the oriental student to satisfy his historical appetite, save by indigestible reports and tough pamphlets? The routine was to introduce him solemnly to Pythagoras, Alexander the Great, Porus, and the gymnosophists. Then came tedious dissertations upon mythologies, and castes, relieved by glimpses of tigers, elephants, cobra capellas and feats of jugglers. As for the native Chiefs, and our skirmishes, for and against them, and such improvement in commercial affairs, or fluctuations of adverse fortune, as arose out of them; the accounts of them were as uninviting, and amenable to yawning repugnance, as disquisitions about the Heptarchy, the struggles of the Scots and Picts, or the transcendental glory of forgotten Irish Kings. A grand centre, and uniting point of harmonizing totality was wanting, without which general interest could not be excited. Some great historic Huber was required to record the polity, the resources, the strategy, and the conflicts of the emmets, put in motion, by royal signs manual, or secret committees, and rival factories and functionaries, hating and hated, with dwarfish cordiality of malignity. Then, who forsooth could tolerate, the never ending, still beginning, gibberish, in which men and things were wrapt up and screened? The amber in which the insects figured was none of the clearest, and there was no public taste for entomology. John Bull hates every thing that is not English. He may sometimes find it convenient to profess the contrary, but he has a cordial aversion to whatever is foreign, let him say what he will. How could he, good honest fellow, with his Saxon phlegm, be expected to be interested about a people who eat neither boiled bacon, nor roast beef, and plumb pudding? How could the national mind, or the national stomach rather, be reasonably expected to tolerate, much less to mark, learn, and inwardly digest, voluminous records abounding in unintelligible jargon about Dústuks and Dústúrí; Rowannahs and Rohillas; Sircars and Po-

lygars? In wading through wearisome pages abounding in Monsoons and Carcoons; Nullahs and Múllahs; Ranís and Karanís; the bewildered reader in despair, shut his eyes, just as a railway traveller does, when progressing for many miles together, between two high prosaic looking banks, that serve but to disgust his dazed vision; however interesting they might prove to a botanist or geologist. There was to John Bull (and it is to be feared to a certain extent still is) a most fatigueing iteration in these things, and an overpowering monotony of effect, that brought a somolent torpor, as it were, into the eyes of the mind.

Every thing in short was viewed, and still, in a great measure, is viewed, through a distorting medium of prejudice or contempt. That great influential journal *the Times*, which flatters itself that it knows a great deal about India, in one of its recent issues, indulges in a sneer at the expense of a people who never knew how to construct a good road. This is unjust and not consistent with fact—as may be seen even in our own times by the traveller in the interior of India, who will find the ruins of what were once magnificent roads, and other works of public utility. Akbar caused the whole road from Agra to Lahore to be planted with an alley of trees, beautiful for its length and verdure. Arungzebe again, at every stage from Kabul to Arungabad, from Gujarat to Bengal, through the city of Agra, built houses for the accommodation of travellers. These were maintained at the public expense. They were supplied with wood, with utensils for cookery, and with a certain portion of rice and other provisions. Bridges were also built over small rivers, and ferry boats furnished for the large. But not to digress, India had no interest whatever out of the India House, until that most extraordinary exhibition of modern times was got up, the trial of Warren Hastings. This *cause celebre* roused the dormant public, and made the most indifferent more inquisitive about India than they had ever been before. Potent senators, and subtile lawyers found it necessary to cram for gladiatorial display, in the field of Indian gymnastics. All the local terms and phrases that were formerly to be found only in the reports of factories, or the despatches of presidencies; and were loftily despised as mere jargon, now assumed an important significancy. They ravished the ears of patrician dames in Westminister hall, where they even drew tears from the eyes of aristocratic beauty, or pealed from the benches of the house of commons, to the wonderment and edification of the country gentlemen. The great length of the plea, however, well nigh set the public asleep again, as far as India was concerned, but

as this wounded-snake-like trial drew its slow length along, towards the close, public interest was revived. In every way may Warren Hastings then, be said to have proved the benefactor of India. He became instrumental, *malgre lui* though it might be, in rescuing it and his own invaluable, but ill requited services, from dread oblivion—'fat as the weed on Lethe's wharf'—to which both were tending; until the intellectual thunders of that wonderful Triumvirate, Burke Fox, and Sheridan, startled the nation from its dreamy languor, since when, India has been less a terra incognita than it was before.

The reign of Akbar may be considered the starting point of English interest towards India. Of what the Portuguese were doing but little was known in England. The celebrity of the victories of Akbar, the splendour of his court, the fame of his bravery, clemency, and love of justice; his magnanimous forgiveness of his son's revolt, the liberality and favour he extended to learning and learned men, and his gracious accessibility and munificence; attracted many Europeans to Agra, and produced a sort of dim prestige of his glory, in Europe. Succeeding to the throne about the middle of the sixteenth century, he occupied it, to the advantage of his country for fifty years, and consolidated his dominions more than any former sovereign of the race of Timúr. We learn many curious particulars, relative to his personal and political character, from Signor Manouchi, physician to the imperial family, and who, in this capacity, had access even to the Harem. It is from his memoir, that Father Catron, in one of the works heading these observations, mainly derived his information. Where will not English deserters venture to go in search of variety and better pay? One, it seems, found his way from Surat to Agra, and after a hearty potation of wine (either from Shiraz or Kabul) made a capital shot—(for the man was a cannoneer) which filled the emperor with admiration. From that time, Akbar permitted all his European Cannoneers to plant vineyards in the neighbourhood of Agra; which of itself, had there been no other subsidiary inducement, was well calculated to attract loose European hangers on, to the capital of the Mogul. The decree inserted in the imperial chronicles, on the occasion, gives a graphic and lively idea of the European's besetting foible, no less than of the monarch's indulgent consideration. "The Europeans are born in the element of wine, as fish are produced in that of water; to prohibit them the use of it is to deprive them of life." Akbar himself had no objection to a cheerful glass. Generous and

kindly, yet truly dignified withal, he was worthy of the magnificent position he held, and much better qualified to form the beau ideal of the Commander of the Faithful, and to be associated with the splendid conceptions of the Arabian nights, than the stern, selfish, and cruel Caliph Haroun Al Raschid. Agra was a bustling capital in his day—for we are told by Father Catron that the King "had procured from Goa artisans of every description, lapidaries, enamellers, goldsmiths, surgeons, and European practitioners in medicine." If we may judge from the arrangement of this sentence the poor doctors held the lowest place even as artisans. Some two or three centuries have not much altered matters, as respects their weight in the body politic. Nevertheless, India is not without its obligations to individuals belonging to that class, who even in the present day, hold but an ambiguous and doubtful position, especially in a military point of view. Akbar's strong hankerings after Christianity, are well known. He certainly appears to have entertained very serious thoughts of professing himself a convert. Whatever might have been his secret convictions, it is unquestionable that his expressed opinions, and his more than liberal toleration, gave great uneasiness to the Múllahs, and bigotted Moslems about the Court. It was indeed an extraordinary thing to behold the Emperor of the Indies, and the Commander of the Faithful, receiving the Holy Bible from the hands of Christian padrees, and placing the sacred volume on his head, in token of profound respect. Nothing can be more convincing as an illustration of the struggle of the carnal mind with the impressions of divine truth, and the weakness of reason unaided by indwelling grace, than the conduct of Akbar on this momentous occasion. He felt like Agrippa—almost persuaded to be a Christian—but there were bonds that fettered him—and he was a willing slave. It is impossible to reflect upon the dilemma in which he felt himself placed, without a sigh for human nature, and respect for the ingenuous frankness that characterised the reply of a great sovereign, who confesses that he felt he was acting against right, and yet could not help it. He confessed to the Romish fathers of Goa when hard pushed by them—that the season of conversion was yet remote. "I find myself"—he said—"bound to Mahommedanism by ties which I am unable 'to break asunder. The Múllahs of the palace and the Sulta-'ness—my mother, never cease to inveigh against the new 'religion which I protect. I have an opposition still more 'difficult to sustain with the women of my harem, from the 'apprehension of being all discarded as soon as Christianity

'shall have reduced me to make choice of a single companion— 'they spare no caresses that they may tear from my heart the 'religion of Jesus Christ. *In a word the Gospel is too pure and 'my manners too corrupt.*"

Some four or five years before the death of Akbar, Queen Elizabeth granted a charter with certain privileges to a small company of London merchants, just at the time that the Dutch East India Company was instituted, whose first attempt to trade on the Malabar Coast, was nearly coincident with the first arrivals of the London Company's ships at Surat. From this time may be dated the commencement of the decline of the Portuguese power in the East—where they had been dominant upwards of a century. The Portuguese in fact were the first European nation that took an extensive grasp of Indian territory and commerce; for they had settlements at Point de Galle, Colombo, Ormus, Bassein, Salsette, Goa, Mangalore, Calicut, and various other towns and districts along the Coasts. Other European adventurers also were known to the native courts even at a remoter period, where they were distinguished by the generic name of Franguis or Franks, and *gorah logue* or white people; though their particular national differences, and boundaries were not clearly understood. To trace the progress of these adventurers from time to time, and to illustrate the collisions of their several governments, and the effects these had upon their own motives and movements, would demand more space than can be spared within the ordinary limits of an article. The leading object of the Portuguese policy was to prevent other European adventurers from squatting down upon any part of India, which they considered as their own peculiar manor; and to obstruct the transit of Indian produce to Europe, by the Gulf of Arabia and Persia, and to monopolize the whole of the trade, by directing it from these ancient channels, into their own circuitous navigation. We find that they were so powerful, when other nations were unrepresented in the Indian seas, that in 1537 Mahommed Lodi sent to Goa to intreat their aid in his contest for sovereignty. From the time of Elizabeth, the mystery that hung like a heavy cloud over the East, began by little, and little, somewhat to clear up; and the navigation of Asia to become yearly better known. The time had come when the Portuguese must knuckle down. The Dutch became their rivals and finally their subverters. By their expulsion of the Portuguese from Ceylon, the Dutch got the Cinnamon trade into their own hands, which in addition to the spice trade of the Moluccas, caused the English to entertain heart burning jealousy of their good fortune.

Angry collisions of rival interests, continually occurred—and altogether it was an age, fruitful in transactions of questionable morality, remorseless violence, and subtle treachery. It being less our desire to enter into the fluctuations of commercial rivalry, than to take a glance at the social conditions, and circumstances, of succeeding phases of Indian policy, especially as regards Europeans—we may take three sojourners in the East as representatives of their different eras, and whose remarks, casual or direct, may be considered as reflecting a general light upon matters of conventional and moral interest. We allude to Sir Thomas Roe, Bernier, and Captain Hamilton. Their era was one, fraught with various risks and hardships, which can scarcely ever beset the European adventurer now a days. The Company's servants at Surat, suffered continually from the rapacity and misrepresentations of the native governor and his creatures. It was no uncommon thing for the packages of the Company to be taken by force, and their contents seized at a nominal price. This sort of ruffian freedom of the strong hand, was for many years a perplexing obstacle to the Company's commercial progress. Their trade at this early date was a series of mere peddling. They were feeling their way, holding gim-crack toys in one hand, to propitiate great men, or great men's *little great* men; while with the other, they were proffering goods for sale, in order to pay the expence of the said gim cracks. The inconveniences of travelling, for an European, in those times, must have been very great indeed. Occasionally Sir Thomas Roe (Ambassador from King James I to Jehangire) had difficulty in procuring even the necessaries of life, especially good water. It were well, if in our day we reflected a little more on these things, and compared the stern hardships of the past, with the present security, and competence, if not luxury; then should we hear less of these unbecoming complaints which military, or quasi military correspondents, obtrude at times on the public eye and ear. Poor Bernier dwells very little upon his own personal sufferings, though they were very great, but rather with unaffected sympathy on those of his illustrious companions—for he was one of the followers of Prince Dara in his flight, after the ruinous issue of his struggle for empire, with the able, wily, and determined Arungzebe. The unhappy princess, his wife, had to crouch under a miserably small tent or *pal*, close to Bernier as the ropes of it were tied to the wheel of his 'chariot'—the said chariot being a wretched bullock hackery. Even in our own day, it is not every one who would venture through the Sirgújah and Sumbhulpore jungles, in search of diamonds;

like Tavernier. Bread was to be got but seldom, and meat scarcely at all. It sometimes was dangerous to shoot a bird. A '*surprised* fowl' or stale fish, were now and then luxuries. But a king, or a great man might occasionally send the European adventurer a wild hog, or quarter of a deer, and for these he was expected to be exceedingly grateful, and either to make or to write fine speeches, and to give something in return, if he could manage it; the rule with Moguls being pretty much the same as that with all present-hunters—"the smallest donation thankfully accepted." But Europeans had to keep at an awful distance in general, since even ambassadors might not be permitted to be seen upon the steps of the throne. Sir Thomas Roe was expected to Koutou before the Prince Kurrim (Shah Jehan) but with an anticipatory Lord Amherst repugnance to that sort of thing, the ambassador begged to be excused. If the Prince could have peeped into the next century or so, how astonished he would have been at the ascendancy of those 'hat men'—whom he was always inclined to give the cold shoulder to; and to allow one of whom, even though an Ambassador, to sit in his presence, would have been a matter too preposteously extravagant, to be thought of for an instant. Sorry enough were the lodgings of that ambassador on his way to Court. The chambers allotted to him by the Cutwal were "no bigger than ovens"—so that he preferred keeping in his tent, which appears to have been of that inferior and small kind called a *Rowti*. He found the king at Ajmere, and as far as his reception from royalty itself went, had no reason to complain. Though Jehangire was considered as devoid of religion, he does not appear to have participated in his father's leanings towards Christianity, if we may judge from the anecdote that is told in regard to his nephew. Winking apparently at his conversion to Christianity, and aware perhaps of his natural timidity, he ordered him to lay his hand on the head of a lion. His declining to do so, seems to have been considered by the flighty monarch, as equally discreditable to himself and his religion—and he was forthwith consigned to a prison, whence in all probability he never emerged alive.

The great object of Sir Thomas Roe's embassage was, to procure a treaty of free trade through the Mogul's dominions. Several circumstances tended to keep English trade in a low state at that time; our national position was not sufficiently understood and appreciated, and the choice of investments was injudicious. One of the lords of the court complained to Sir Thomas, that the English caused too much cloth and bad swords to be brought to India. The Moslem Prophet's fol-

lowers of those days, appear to have been much more sociably disposed, than their descendants, who, infected by the heterodoxy of caste, would give themselves airs at the idea of holding table fellowship with 'Infidels.' This reluctance to be 'hail fellow well met'—with Europeans, is generally in the inverse ratio of rank and respectability; just as the lowest Sudra often makes a greater fuss about his caste than a Pundit. A present of wine was every where, and always acceptable. The Prince (Shah Jehan to be) got as 'fou' as "Tam O'Shanter" or "Souter Johnny"—at Brampúr, on some wine presented by the Elchi. Even to the great King himself, the Knight's Alicant was a delightful offering, and perhaps did more towards the business in hand, than all his rhetoric. He fell to drinking it at once, like a right jovial and honest toper as he undoubtedly was; "giving tastes of it to several about him." Sir Thomas, not unmindful of his affairs, advised the King that a Dutch ship lay before Surat. He made the most of the matter,or, as he says in his journal "this *I improved*, to fill their heads with jealousies of the designs of the Dutch, and the dangers that might arise from them." This sort of thing was the order of the day; every nation magnifying itself and vilifying its rivals, at the Mogul's and the subordinate Courts.

It is curious enough, even at that early period, when interest in Indian topics might be supposed fresh and vivid, that Sir Thomas apprehended that his statements regarding all he saw and heard, would be disregarded at home, though he felt that "the history of India, for variety of matter in the time of Akbar, and the latter troubles, were well worth writing"—but because they came from such remote parts, he forbears recording them, "as many will despise them." This unfortunately is rather a predominant feeling still, and no doubt, much valuable information has in consequence been lost to the world. Remote by position, remote from ignorance of her value and revenues, and remote from torpor to sympathy beyond the pale of its immediate home interests, as respects England, India always has been and to a considerable extent still is. But to return to our ambassador; at that magnificent court, where splendour of appearance was almost every thing, the plain Englishman with his comparatively beggarly ways and means, must have been exposed to sundry slights and mortifications from the arrogant Omrahs and their swaggering moustache twisting retainers; who, judging from appearances alone, must have despised the poor Elchi, and the court he represented. The fitting out of the functionary who was to represent Majesty, rather savoured too much, of the parsimony

of canny King Jamie, the Company having to pay the piper, and not being able to afford much in the way of expensive pomp and show. The consequence was, that the Ambassador felt ashamed and even "disgraced" at the figure he of necessity cut, and the mean appearance he made in the presence of so gorgeous a court. Five years' allowance, he declares, would not have provided him with even an indifferent suit of tents in any way answerable to one of theirs. Indeed if he had the wish to entertain after their fashion, he had no approach to the wherewithal. He possessed not the means of giving even a good nautch. All he could do, was to ask one or two occasionally to share his own dinner (which we suspect was not very recherché) and his, by no means cool Alicant. The Prince always seemed inclined to treat him (as he did all Europeans) rather cavalierly, in marked contrast to the good nature and affability of the King. When however, his highness presented him with a garment the worse for the wear (for he had worn it himself) the Ambassador did not seem so sensible of the great honor, as the courtiers might have desired; since they assured him that the Prince's having worn it, greatly enhanced the compliment. The fact is he had been treated with intentional discourtesy. After dancing attendance for hours, and finding himself neglected, he indignantly retired, but was called back "to receive a great present"—namely, the aforesaid cast-off garment. One would not have looked for so much meanness in the founder of the Taj Mahal of Agra, but alternations of meanness and grandeur are characteristic of the Asiatic. Sir Thomas gives us a not very flattering glimpse of the English in India, in his time, in allusion to "the drunkenness"—of those of Surat. When will this vice cease to be a stain upon the national character? A great and blessed reform has taken place, in that respect, in the middle classes of Society every where, but when will addiction to intoxicating stimuli cease to be *the* failing of the sailor and the soldier? But it is not to the intemperance of the English in the use of liquors alone that he alludes, but to, "other exorbitances proceeding from it, which were so great in that place, that it is rather wonderful they were suffered to live." Alas! it is to be feared that much revolting detail lay involved in that hint, and that the English in other parts of India, were not a whit behind their countrymen at Surat, in moral turpitude.

The Ambassador felt justly indignant at learning that his packages had been detained, if not opened by the Prince, who disingenuously represented them to the King as mere goods.

Sir Thomas appealed to His Majesty, who affected to beg of Sir Thomas to forgive the Prince. He then had the chests carried into his own Royal presence, and there opened, without so much as asking the mortified Elchi's leave. The poor Mogul was moved to this act of mean indecorum by sheer childlike curiosity. He had not patience to wait, in order to have the matter properly arranged. He seemed, however, sufficiently sensible of the impropriety *after* committing it, and with great good nature earnestly intreated the Ambassador not to be offended. The *Great* Mogul then began to reckon up the things he had taken, as combs, razors, scent bags, and so forth, and smiling said—" You would not have me restore those things—for I have a mind to them?" It is like Dr. Johnson asking " Bozzy"—' to lend him a shilling not to be repaid.' It was of course quite impossible to feel otherwise than honoured, by the condescension of the good natured monarch of the Indies—who could however, on occasion, be more than sufficiently, stern and terrible, if Indian historians ' have writ their annals true.'

Among the pictures which formed a part of the assortment of presents (miserable enough in execution, most likely, whatever they might be in conception, considering the state of art in England then) was one of Venus leading a Satyr by the nose; which the King shewed to all about him, bidding them expound the signification thereof. This was for them almost as hard a request as that of the Babylonian monarch, that the wise men of his court, should recollect and interpret a dream he had himself forgotten, but the vague impression of which, nevertheless disturbed him. Jehangire bid them observe the blackness of the Satyr's skin, and other particulars. Every one spoke as he thought, or affected to do so, and odd enough, we may well imagine their speculations to have been, the learned Thebans that they were! The King, however, liked none of their expositions, and reserving his own thoughts asked Sir Thomas the meaning; presuming not unnaturally, that *he* at least must know. The poor Elchi was fairly perplexed. The whole scene to an indifferent spectator could not fail to be amusing. The king asking an explanation of the enigma, and the courtiers one and all looking bewildered, if not afraid that some monstrous treason was afoot in this mystic picture; might afford an excellent subject for an artist sufficiently conversant with oriental detail and keeping. Sir Thomas simply replied, that it was only the painter's fancy, who often represented the fables written by poets, which, as he quaintly states, " was all I could say of it." It now became the Chaplain Mr. Terry's turn to

expound a more difficult text than he might have anticipated, but he proved as little of an Œdipus as the others. The king then said, and they were words wise enough to have been spoken by Solomon, since good reason he had for asking,—"And why then do you bring me what you do not understand?" It is curious enough that this pertinent question had not occurred to Sir Thomas himself, or at any rate to the donors of the picture. Supposing for instance that the Ambassador had brought as a present, some curious mechanical gim-crack, a thing of wheels and pulleys, meant to fulfil some purpose which he had either never inquired into, or forgotten, and that on producing it, he could neither explain its use nor set it agoing, would he not have felt himself in a silly position? The one, respecting the picture, in which he thus unexpectedly found himself placed, was quite as embarrassing. The incident, however, is not without its moral. It shews at any rate, that considerably more caution is required, in matters of this kind, than may be supposed from a superficial glance. Things trifling in themselves, may assume a grave importance, when brought into an angle of misconstruction, before the suspicious and suggestive mind of the Asiatic. Sir Thomas, most likely, wished himself heartily out of the mess, and would have been glad had the picture been received like returned stolen goods, on the usual condition of "no questions asked." Be that as it may, Jehangire though silent at first, appears, like the parrot in the tale, to have "thought the more." From what dropped afterwards, Sir Thomas had reason to believe, that he deemed the picture had been made in derision of the people of Asia, whom he supposed to be represented by the Satyr, as being of their complexion; and that Venus leading him by the nose, denoted the great power the women in India have over the men! Who shall say that the King was wrong in this surmise, founded upon consciousness of a besetting fault? The Satyr led by the nose might well stand for an emblem of Eastern government, from the King's Amlas to the lowest Darogah's Chabútrah. The sovereign himself, it was notorious, was led by the most beautiful and celebrated woman of her day, for so Núrjehan, by universal consent of history, was held to be. Woman though within the Zenana, and behind the purdah, uses her influence in the East, quite as potentially as where she is neither immured, nor ashamed to shew her face; but it is a potentiality of concealment, subterfuge, venality, and corruption.

Sir Thomas presented the king, as a New year's gift, with "a couple of fine knives and six glasses from the Company." One can scarcely forbear smiling at these *Royal* presents. The

king, however, took in good part the ambassador's excuse for the smallness of it. He sent to Asoph Khan the minister, and brother of Núrjehan, or the Queen, as he always calls her "a pair of gloves and a curious nightcap." The former the Khan returned as "of no use in India"—but the nightcap he kept—and asked for some Spanish wine, which luckily Sir Thomas was in a condition to give. The king had the meanness to open a box belonging to the Jesuits (who had a College at Agra) which came from Camboya, but must have been much disappointed at finding it only to contain medicines and a letter. It is not said whether he tasted the former, under the supposition that the bottles might contain wine. It is to be hoped he did, and that his face expressed unutterable things after the operation. The letter he opened! Free and easy was the style at court, and the ordinary usages of meum and tuum were there interpreted after a most liberal fashion. From the king to the lowest chupprassí, trade was liable to be continually thwarted, and its confidence outraged in all branches, by their unscrupulous rapacity, and avidity for largess, at every possible opportunity. It was the custom that the King should have the first choice of all merchandise leaving the rest to the nobles. Even thus early, there was a great jealousy, in regard to the English holding a port in Surat or any where else. Sir Thomas was well aware of the character of the native chiefs, and courts, he had to deal with, and their self seeking system of procrastination. "When they have peace, they scorn our assistance, and speak as loud as our cannon; if one oppress them, they dare not put out under any protection nor will they pay for it." His commercial ideas were sound for the age. All his measures were marred by insufficiency of means, and his disability to bribe promptly and liberally. Such expedients to smoothe our movements, and to baffle the counteracting manœuvres of secret rivals, was the rule. To keep every thing snug and secret, was another rule. "You cannot do better"—was his confidential advice to the Company—"than keep all men ignorant but yourselves—or at least as many as necessity does not oblige you to use." This was a text that was religiously abided by, and never lost sight of. The principle of it, may be said to have lain at the root of much discussion, long afterwards, and even to have in some measure formed a feature of those precautionary provisions, which till recently, hampered the freedom of the Indian Press. In regard to his own bearing at the Mogul Court, and the arrogancy of parties there, as well as his correspondence with Surat, &c. he says, "I have

moderated according to my discretion but with a swollen heart." He gave also advice, in regard to private trade, and the remuneration of the Company's servants, the neglect of which occasioned much inconvenience and mischief. He suggested the entire and absolute prohibition of the former—and a more liberal scale for the latter.

The transactions of the London Company, for the first twenty years of the seventeenth century, consisted principally of voyages of experiment, and it is at this juncture that we first hear of "Interlopers"—those pestiferous disturbers of the Company's peace, whose every movement threw them into a stremor of alarm. Theywere the Pindaries of trade, who were continually making onslaughts here and there when least expected, and throwing every thing into 'most admired disorder.' The experimental charter of Elizabeth, in the succeeding reign became a perpetual one, a word of about the same meaning, and moral weight, as the *eternal* friendship, vowed instantaneously, between the two young ladies in the witty George Canning's drama of "The Rovers."* The accession of Shah Jehan, proved very disastrous to the Portuguese in Bengal. Cossim Khan his deputy, reporting unfavorably of 'the European idolators'—as he was pleased to designate them—he was ordered to expel them from his dominions. This order Cossim Khan carried out in his own persuasive way, with the eloquence of the sword, being that which the Mussulmans are most conversant in. On this occasion, it was used with uncommon vigor and emphasis, and not the less so from no previous warning having been given. In other words he fell suddenly upon Húgly and took it with great slaughter, taking many prisoners, and reserving the most beautiful of the women for the Royal Harem. We turn to a subject of more pleasing contemplation. It appears that the Surgeons of the English Indiamen, had acquired by their skill in curing the disorders of Mogul officers of rank, a reputation which made them known at Court—and gave them an influence which in the sequel was productive of important results. A nobleman of high rank applied to the Presidency at Surat to recommend a Surgeon to reside at Agra, and they selected Mr. Gabriel Boughton of the Company's ship Hopewell. He was sent for also to attend the Emperor's daughter. Shah Jehan, grateful for his skilful and seasonable aid, was ready to confer substantial marks of favor on him, but he generously availed himself of the occasion, to promote the interests of the Company

* Antijacobin.

only ; by procuring an imperial firman, conferring on them, the privilege of trading to Bengal by sea. This is not a solitary instance in Indian history, of substantial benefits conferred on the Company, and the country, by medical servants of the former, but we are not aware whether any thing like an equivalent recognition of it, was ever extended to themselves personally, or to the class honored by numbering them among its members.

The commencement of European piracy in the Indian seas may be traced to the effects of the license granted by Charles I, to Sir William Courtin's association of merchant adventurers, to trade in India, to the prejudice of the previously existing rights granted by Charter to the London Company. Interlopers who had gone to no previous trouble, or expense of any kind, in smoothing the roughness of the commercial path, and in procuring firmans at great cost of time, temper, and money, cut clean across the interests of the Company, and occasioned infinite confusion, harassment, and loss. It became in great measure the source of oppressions by the native powers, which in the sequel interrupted and frequently endangered the trade. Pirates availed themselves of the irregularities thus introduced, to plan depredations on a systematic scale, which it required half a century of the united efforts of the Crown and the Company to suppress. The trade (Courtin's) was at length brought to the verge of ruin by wild speculations, and shifts that it would not be too strong language to designate as villainous. The reproach of these was partly reflected on the London Company, as the native powers were not able to discriminate between them. It became at length after a good deal of negotiation merged in the latter. Cromwell gave an impetus to trade every where by the navigation act—and especially in India, by the compensation which he compelled the Dutch, after many evasions, to make to the London Company—on account of the massacre at Amboyna, &c. less from its amount then moral weight. Commercial concessions came gradually to be obtained from the European maritime powers, which laid broader foundations for the commercial prosperity of Great Britain, while the general probity and credit of the English, notwithstanding exceptions, and many unfortunate circumstances, gradually began to make a due impression even in India. Alternations of prosperity and depression, beset the history of our Indian trade, with a kind of impartial measure. Perils of wars, the circumvention of interlopers, and the attacks of pirates, often brought it low—when orders of retrenchment reduction, and rigid economy, or rather parsimony, were sure to follow, though not always particularly well attended to.

How indeed could they be? seeing that the best paid of the Company's servants did not receive a salary superior to a butler's, or majordomo's. It was not by pay that they were expected to keep body and soul together, much less to acquire an independence; but by perquisites and emoluments. The natural consequence was, that in trying to make both ends meet, they considered their Masters' interests as a mere secondary matter. The advocates of free trade became exceedingly clamorous for a share of the good things, supposed to be had in India for the mere asking. They had only as they fondly conceived, to go and pick up the ready strown rupees and gold mohurs. As there is nothing new under the sun—their arguments were much the same as were reproduced some thirty years ago in Liverpool, London and Calcutta. Notwithstanding their cogency, however, they did not convince Cromwell who declared for the Company's privileges.

Bernier arrived in Surat, in 1665, by what is now called the overland route. Seeing that there was no canal between Alexandria and the Nile, no steamers on the river of Egypt, no transit Company, no hotels at Cairo, no vans or resting houses in the Desert, and no inn at Suez—it must have been a fatiguing journey enough. He had to find his way down the Red Sea as well as he could, for as yet steamers were not! He had, however, two or three qualifications that render the trials of travel comparatively light; a good heart, an easy disposition, and that elasticity of mind which is constitutional to the Frenchman; and serves him at a pinch, perhaps better than the reserve and phlegm, which the Englishman deems philosophy. He alludes to French Cannoniers serving in different parts of India, including English, Dutch and Germans as well as Portuguese. The latter, notwithstanding the calamities of war that had overtaken them in Cossim Khan's time; in the reign of Arungzebe, amounted in Bengal, to about nine thousand but of mixed stock exclusive of priests and missionaries. We have alluded to the hardships which Bernier endured in the suite of Prince Dara. These must have been very formidable, marching as they were, night and day through burning sandy deserts towards the town of Tatta. The death of one of his oxen, and the failure in strength of the other, made his "chariot"—(hackery) useless. The heat and thirst were alike intense, and the dust intolerable. The Prince was under the necessity of pushing on as he best might. Bernier, fortunately as it turned out, was left behind, without a camel or horse. He fell into the hands of Kouli robbers but with the happy adroitness of his country, and the use of his professional skill; he managed to ingratiate

himself greatly with his uncouth companions—so that after being with them eight days—they lent him a bullock and put him in the way of getting to Delhi.

The struggle for empire, of the four sons of Shah Jehan which lasted five years (1660-1 to 1665) brought trade to a kind of stand for a time, as it was equally dangerous to solicit or accept protection; it being impossible to foresee who might ultimately be the Mogul. The death of Cromwell in England, with the restoration of the monarchy, and in India the decided authority obtained by Arungzebe, restored public confidence. Trade accordingly revived in India and the evidence of it became obvious, especially in Bengal, where it was felt necessary to build new and large ware-houses. The conduct of the Nawab Mír Jumlah, however, was often complained of, though the imprudence of the Company's servants at Húgly, afforded him a good plea for squeezing them. We learn from Bernier that sickness in those days was sufficiently rife and occasionally very fatal. Many of the retinue of the Dutch Ambassador to Arungzebe got sick, and the Secretary died. The object of the Dutchmen was to magnify the advantages the Mogul derived from their commerce. To this effect, they shewed long rolls of commodities bought up by them throughout the whole kingdom, and lists of considerable sums of gold and silver, brought every year to the country by them,—but as the shrewd Frenchman remarks, "saying not a word of those which they draw hence from the copper, lead, cinnamon, cloves, muscadin, pepper, wood of aloes, elephants and other commodities which they vend there." Besides the bold, bluff pirates, that daringly pursued their neck-periling vocation in the open seas, the coasts of Bengal were in Bernier's day beset by creeping miscreants, of a less undaunted but more cruel character. Chittagong was the refuge of all the Feringí vagabonds that flocked together from similarity of circumstances and tastes. They consisted of good for nothing runaways from Goa, Ceylon, Cochin, and Malacca. There were among them such as had abandoned Monasteries, Bigamists, Rogues and Murderers. "In a word such as had deserved the rope were most welcome and most esteemed, these leading in that country a life that was very detestable, and altogether unworthy of Christians, inasmuch that they impiously butchered and poisoned one another, and assassinated their own priests, who sometimes were not better than themselves." Such was the impression of horror, and so general, produced by the revolting crimes of these miscreants, that it still affects the native mind to a certain extent; and much of the undefined obloquy in which Christianity is held, and ignor-

antly held; is owing to the misdeeds of these nominal professors of it. The ordinary trade of these people was robbery, piracy and kidnapping. They were continually prowling about the Sunderbuns, and the creeks and channels of the Húgly, assaulting boats, and breaking in upon the festivals, assemblies, and weddings of the poor people, and carrying them off as slaves. They either kept them as literal galley slaves, drudges to row their boats, or sold them at Goa, Ceylon, or along the Malabar Coast. We are not, therefore, surprised at the wrath of Shah Jehan, and the summary vengeance of Cossim Khan when he fell upon Húgly—since there were suspicions that they could not fail to be privy to these enormities to a greater or less extent, under the rose. Shah Jehan was not so tolerant as his father and we hear of his pulling down churches with their bells. As respects the Portuguese of Húgly, degradation could scarcely be greater than that which overtook them. Even their very children, and priests and friars, were carried to Agra. The handsomest of the women were shut up in Seraglios. The old ones were destributed among the Omrahs, why or wherefore we can scarcely tell, unless it was to serve the ladies of their Harems as Ayahs. The young lads were circumcised, and the grown up and aged men, terrified at what they saw, for the most part renounced their faith, but no martyrs were heard of. The Portuguese had been faulty in like manner in Japan, in Pegue and elsewhere, and Bernier testifies that they themselves acknowledged their misfortunes to be a just divine chastisement upon them. The kidnapping for which the denizens of 'Rogues' river'—were so much dreaded—there is reason to suppose, has come down nearer the present time than some may be aware of. Of course it was pursued in a quiet way, and on a very reduced scale. We recollect meeting at the Cape of Good Hope, with an old native of Múrshedebad, who had been kidnapped some forty-five years before. He stated that the practice was very common in his childhood, and that he had met several who had been kidnapped like himself. Indeed were there not a vigilant look-out, kidnapping on the old rogues' river scale might revive very prosperously under the screen of Cooly Emigration, and it is to be hoped due care will always be taken that it does not do so.

The cession of Bombay to the Company by King Charles II. although for many years, through misconstruction, perverseness of individuals, and mismanagement, fraught with vexation and loss, eventually led to more prosperous issues. Possessing a fine harbour, and a centrical position for commerce, it

soon rose to be a superior settlement. Bombay as well as Surat during the life of Sevaji, the founder of the Mahratta empire, was kept in a state of continual dread, lest he should come down, as his wont was, like 'a wolf on the fold.' Merchants in those days were obliged continually to be on the alert—and used to have, as it were, one hand on the sword, while paying for piece goods with the other. Shortly after King James II. came to the throne, the English got into a serious row at Húgly. Three soldiers had quarrelled in the bazar with some of the Nawab's peons. A company of soldiers was called out for the defence of their comrades, afterwards a second and then the whole of the English troops. The Nawab's troops were beat with loss, sixty of them were killed and a considerable number wounded. A battery of eleven guns was spiked and the town itself cannonaded by Capt. Nicholson's ships. The Fouzdar solicited a cessation of hostilities which was granted, on condition of his giving assistance to carry the Company's goods on board the ships. The Company were not pleased with Mr. Job Charnock's conduct on this occasion, deeming that the opportunity might have been rendered more available for producing a salutary impression of dread of our power. The English retired to the village of Chuttanuttí or Calcutta in its embryo state. The Company had sent out orders to take Chittagong but this through mismanagement proved a failure. The truce concluded between the Fouzdar of Húgly and the Nawab was in a few months violated by the General of the latter suddenly appearing before the town with a large force. The English on this infraction of the treaty, immediately stormed and took the fort of Tanna and plundered and destroyed every thing they could lay their hands on between that place and Ingellee. They subsequently burnt Balasore and destroyed about forty sail of the Mogul's Ships. Affairs remained in this unsatisfactory state till the month of September 1687, when a purwannah was issued by the Nawab, granting permission to the English, who had taken refuge at Madras, to return to Húgly, with the continuation of their ancient privileges. This out-burst, if it served no other purpose, sufficiently satisfied the Native Authorities that it was more for the benefit of the country to let "the hatmen"—alone, than to provoke them. Trade in Bengal soon recovered itself, and Job Charnock ruled like a petty monarch of all he surveyed—which was not much. His army was suitable—consisting of about a hundred soldiers. He had very summary powers also, over all classes of the Company's servants, every one of whom he might dismiss, if he saw cause,

without appeal. From this time the history of Calcutta may date,—a history the beginnings of which are beset by considerable obscurity—since any very clear data regarding them, were in all probability, lost during the capture of Calcutta by Surajah Dowlah. As the British Interests waxed stronger those of the Mogul became weaker. The Empire of Timur, and Arungzebe grew decrepid together, and the commencement of the eighteenth century might be said to see the power of the Moguls and Alumgire the first, laid in the same grave. Formerly a distinction was observable between Interlopers and Pirates, but the line of demarcation became at length so very small, as to general vision, to be almost undistinguishable. Their ravages at times paralysed the sinews of trade. We do not enter further into the squabbles of the London and English Companies, which had threatened to be interminable; than to state that both parties in the keen encounter of selfish tactics, were near ruining each other. The establishment of Calcutta as a Presidency—and the union of the two companies followed fast upon each other, ushering in the accession of Queen Anne. The close of William's reign was distinguished (if distinction if may be considered) by the second embassy from England to the Mogul's Court. The Ambassador was Sir William Norris as representative of the English nation, or it would be more consistent with the reality of the case, to say, of the English Company. By the way, it may be as well to give our country readers an idea of the service as then existing, and as now, in order that those who serve the Company in the year of grace, 1847—may thank their stars that they did not live a century or so too soon! Merchants, or members of Council were appointed by their munificent masters to have £60 per annum, factors £40, and writers £20. Such is the estimate of a genteel competency in a tropical climate in "the good old times." True—but there were glorious pickings. These would also be found to be upon a scale much poorer after all, than may be at first glance obvious—every risk, hardship, and vexation, duly and broadly considered. The social position of the Company's servants could not be a very elegant, or pleasing one, at a settlement consisting entirely of gentlemen. They were prohibited from renting farms on their own account, though they might trade, a permission they availed themselves of with a wide conscience, but they were forbidden from intermarrying with the natives.

We cannot resist the temptation of digressing a little here to return to our old friend Bernier. He describes the mode of passing the time at Delhi—after Arungzebe's authority was

entirely established. The heat was not a jot less than the modern Delhians complain of. In the chambers, he tells us, that one could hardly hold one's hands during the warm months against a wall, nor one's head against a cushion; so that the people were obliged for the space of more than six months to lie without covering at the door. Though not exactly expressed, we suspect that the *Franguis* may here be included among the people, and that they were wont to lie as much *al fresco* as their native neighbours. The rabble lay in the open streets just as they do now—and the merchants and people of substance and respectability, reclined in some airy hall or garden, or upon some terrace *well watered* at night. This watering of the space whereupon one lies down to repose at night, in the hot weather, is not uncommon to this hour in upper India, and the hill Dangas usually practice it, as far as our observation goes—the last thing at night being to sprinkle water over the length and breadth to be occupied by the chuttai or mat—which is to form their simple bed. Delhi at this time was full of Mahommedan and Hindu Astrologers—and Bernier tells an anecdote of a vagabond, "mongrel Portuguese"—a fugitive from Goa, who on the strength of an old sea compass, and a tattered Missal (of which he displayed the rude pictures as the signs of the Zodiac)—befooled the poor people. How true it is that the 'the pleasure is as great—of being cheated as to cheat!' The Ragamuffins of the bazar, were well satisfied apparently, with the vaticinations of this 'ancient sage philosopher—who had *not*, read Alexander Ross over." So apparently was not the worthy Father Buze, a Jesuit, who as one having authority, accosted the professor of the occult art—rather sharply it may be. His answer was admirable—and we hope mollified the Revd. Father's displeasure. "A tal Bestias tal Astrologuo." While doing ample justice to the Romish Missionaries at Agra, and their enlarged charity—that stood not on sectarian differences when distress appealed to them—he frankly admits with reference to the conversion of the natives, "that the great irreverence of Christians in their churches, so different from our (the Romish) belief of the particular presence of God upon our altars—was a great bar to it, at the same time that it was in striking contrast to the deep respect of the Mussulmans in their Mosques." This is a remark full of meaning, and ought to make all of us consider how we comport ourselves in the presence of the natives of India—especially in our churches, where there are always native witnesses of our demeanour and every movement.

Sir William Norris's embassy came off in 1701. The object

as already stated, was to solicit firmans and privileges for the English Nation, that is for the English Company of Merchants in rivalry with the London or old Company. Among the presents intended for the Mogul, they wished to include a small train of brass artillery, and requested by petition to the sovereign, that the guns might be furnished by the Board of Ordnance. We cannot too much admire the prudence and forecast of the Board's reply to the Company's application. Had it been remembered at a later date—we should not have put a cudgel into the hands of the Sikhs to belabour our own heads—since the guns presented to Runjít Sing were among the trophy guns* exhibited the other day, on the glacis of Fort William; neither would the lamented Sir William Macnaghten have been shot to death, by that ruffian Akbar Khan, with his own pistols. The reply of the Board of Ordnance was "that they did not know how far it might be justifiable to furnish foreigners with a train of artillery which possibly at one time or another might be made use of against His Majesty's subjects." At Massulipatam, and Fort St. George, the Ambassador was not recognised. His instructions were rather vague and experimental, leaving a large margin for the exercise of his own discretion, and to shape his objects to circumstances. The main purpose of the whole scheme was the subversion of the London Company, after it had existed almost a century, and the establish-

* A word or two in regard to these guns. It was a proud sight for Britons to behold them lying harmless there, and the 'flag that braved a thousand years the battle and the breeze'—waving above them, the stern proofs of our national valour and ascendency. Multitudes of the natives, among whom were men from all parts of Asia, crowded to see them, yes, and some among them whose wishes had been father to other thoughts, beheld them with baffled malevolence. There could be no mistake any longer about the matter. There lay the last hope of Indian disaffection, and along the whole length of the land from the Sutlej to the Húgly, they have left a salutary impression of our continued supremacy. It was most wise policy to exhibit them leisurely, and to welcome them honorably. Those who wished it otherwise can now no longer have the face, to affect discrediting proofs, so hard and palpable, that we were not to be caught napping so soundly as might be desired! Seeing is indeed believing. It is to be hoped that some more enduring monument, than the flimsy arch under which they passed to the Glacis, will be erected in honor of the event. That miserable affair which was an eyesore, has been since happily swept from the face of the earth—but it has not been without its use, since it has suggested a hint, for the erection of a more enduring one on the very same spot. It might be constructed of Chunar stone and Jeypore marble, and contain on the four aspects, the names of the four great victories "Múdkí" "Ferozeshah," "Aliwal," and "Sabraon." On each side the entrance towards Calcutta, there might be two deep niches for statues of the two noble leaders of the host, and in niches on the other side might be placed busts of Sir John Littler, Sir Harry Smith, and Sir Walter Raleigh Gilbert and not forgetting the gallant Sale. The names of all who fell so gloriously in the different actions might be inscribed within the arch, and the numbers of the different Regiments, Royal and Company's, with the names of the first and second in command of each, might be blazoned on higher parts of the different faces of the arch.

ment on its ruins of a new and unknown mercantile association; thus raising a distinction, as unwise and impolitic in England, as it proved unintelligible and disastrous in India. After remaining at Masulipatam till the beginning of May 1700. He proceeded by sea to Surat, where after a tedious passage of three months, he arrived, in December 1700. He set out on his journey towards the Mogul's camp, 26th January 1701 —with a retinue (grand for the time) of sixty Europeans and three hundred natives. On the journey, a mutiny broke out among the peons, at a juncture and in a situation, when the appearance of a force of the Hindu Chiefs, in the vicinity of his small camp, and the Mogul troops, keeping them in check, endangered his progress. 'It is remarkable, that, even in this early period, the discipline of the small body which formed the Ambassador's court kept both in awe.' On the 3d March, he reached Brampúr, when it became expedient to pay a visit to the Vizier Gazedí Khan. A short time, as is usual on such occasions in the East, was spent in adjusting the ceremonial. The vizier disallowed the Ambassador's proposal, to be preceded by drums, trumpets, &c. not it may be supposed because 'he had no music in his soul'—but on the false plea of its being inconsistent with Eastern usages. The Ambassador deeming the refusal derogatory to his dignity, took French leave, pursued his journey, and arrived at Parnella on the 7th April, near which place the Mogul's camp stood. He obtained permission to encamp near it. A day having been fixed for the audience, the Ambassador proceeded in state. The procession was not unlike what one may see on the stage on the representation of "Aladdin" or "Blue Beard"—and was as follows:—

"Mr. Christor, commander of His Excellency's artillery, on horseback.
Twelve carts, wherein were carried the twelve brass guns (in spite of the objections of the ordnance board!) for presents.
Five Hackerees, with the cloth, &c. for presents. One hundred cohors (coolies) and messures (?) carrying the glass-ware and looking-glasses, for presents.
Two Arabian horses richly caparisoned, for presents.
Two ditto without caparisons, for presents.
Four English soldiers on horseback, guarding the presents.
The Union flag.
The Red, White, and Blue flags.
Seven state horses, richly caparisoned, with English furniture, and five with Indian.
The King's and his Excellency's crests.
One state palanquin, with English furniture of silver tissue brocaded.
Two other crests.
The Music, with rich liveries on horseback.

Mr. Basset, Lieut. of H. E. foot guards, on horseback.
Five servants in rich liveries on horseback.
The King's and My Lord's Arms.
One Kettle Drum in livery on horseback.
Three Trumpets in livery on horseback.
Capt. Symons, commander of H. E's. guards.
Twelve Troopers, every man armed and accoutred after the English mode.
Mr. Beverly, Lieut. of H. E.'s horse guards.
The King's and my Lord's Arms richly gilt and very large, (this must have been thought something prodigious!) the first being borne by sixteen men.
Mr. John Mill and Mr. Whitaker, on horseback, in rich laced coats.
Mr. Hale, Master of the horse, richly drest, carrying the sword of state pointed up. [This pointing up was evidently a matter that had been seriously considered as of infinite importance. Just fancy if it had been pointed down or even side-ways or forwards! If the latter Arungzebe might have suspected treason.]
His Excellency, in a rich palanquin,—Indian embroidered furniture.
Four pages, two on each side of his Excellency's palanquin, richly drest.
Edward Norris, Esq. Secretary to the Embassy, in a rich palanquin, carrying His Majesty's letter to the Emperor, on each side Mr. Wingate and Mr. Shettleworth, in rich laced coats on horseback.
Mr. Harlewyn, Treasurer, wearing a gold key and Mr. Adiel Mill, Secretary to His Excellency." } In a coach.

Now a days, we believe that we should alter the arrangement somewhat, and put his Excellency in the coach *vis* a *vis* to the Secretary—while the Treasurer might follow in the palanquin. The Nuzzur presented by the Ambassdor, was two hundred gold mohurs. The Ambassador solicited firmans to each of the different presidencies, with an exemption from the bonds given by the London Company for the security of the seas —that is, for their being open to pilgrims proceeding to and returning from Mecca. In the interim, another application for Firmans came from Sir Nicholas White in the interest of the London Company. Agents and Vakíls proffering bribes right and left, exerted themselves so zealously, in favour of either Company, that the Mogul and his ministers felt fairly puzzled to know which was 'the real Simon Pure'. The Embassy, however, came to nothing—Sir William Norris could not guarantee the security of the seas, and he was pithily told by the Mogul, that "he knew the way back to England, that he came." Considering this as an obvious and undeniable *Rúkhsut*, or hint to be off, Sir William demanded his passports as they say in Europe, or *Dústucks* as the Indian phrase goes, and returning to Surat. embarked for England, but died at the Mauritius. This ridiculous see sawing of rival interests, at length came to an end, and a Tripartite indenture of union

between Queen Anne, and the two companies, passed the great seal in 1702—and thenceforward they became the United Company of English Merchants trading to the East Indies. This event may be considered as closing the Company's stage of Infancy. The death of Arungzebe ushered in its childhood. The report reached Surat at the close of the season of 1706—and it is instructive in regard to the state, and risks, of the time, to know, that it was communicated to the Court of Directors by Sir John Gayer, in an allegory—which strongly marks the general fear felt at the moment, to mention an event of such political delicacy; because its truth equally with its falsehood, might expose the person who might promulgate it, to certain ruin. He represented in his letter—"that the sun of the Hemisphere had set, and that the star of the *second* magnitude being under his meridian had taken his place, but it was feared the star of the *first* magnitude though under a remoter meridian would struggle to exalt itself." The star of the second magnitude alluded to, is Prince Azim who was slain in the struggle—and that of the first magnitude, was Shah Allum or Mahommed Mauzm, who ascended the imperial throne (which he mainly owed to the conduct and gallantry of his Son Azim Oshan) by the title of Behadur Shah. The remark of Captain Hamilton in regard to the Dutch, is no less applicable to the nature of tenure on the part of all Europeans in India; that what they won by bloody and barbarous industry, they kept and governed by arbitrary violence. The Dutch, however, particularly distinguished themselves by their ruthlessly churlish policy—"a poor Briton"—testifies Hamilton—"dares not approach them, and even English seamen cannot be employed in that Company's service." He also witnesseth, that the Europeans hastened death, "by their intemperance and debauchery of several kinds." He adds what might be considered a remark generally applicable to all English settlements, at the time, that near the town of Gumbroon—"they had a burial place well stored with tombs, but never a church." In regard to Bombay, he testifies that "notwithstanding the Company was at so much charge in building of forts, they had no thoughts of building a church." The neglect of this point is inexcusable, and reflects no trifling reproach upon the authorities. To the almost total absence of religious ordinances, much of the irregularities, and licentiousness, of the period, may fairly be attributed. There was no one to speak with authority in reprobation of evil courses. Religious impressions and practice were exceedingly loose. The sanctity of the seventh day was as a matter of course utterly lost sight of. English and Dutch pro-

testants for want of ministers of their own communion had their children named by the Romish priests, but they read the burial service over the dead themselves. In regard to Bombay—Hamilton relates an anecdote respecting Sir J. Child, which if true, is sufficiently discreditable, to say the least of it. Although it was a considerable time before Europeans lived long enough, to become a consistent or numerous congregation at Bombay; still the inhabitants, comers and goers—raised among themselves a large sum (for those days) amounting to five thousand pounds, to build a church. Sir John Child, however, when he came to reign in Bombay, quietly pocketed the money, for so we understand Hamilton's words, that 'he converted it to his own use.' Principally through the benevolent exertions of Mr. Boone, the Company also contributing, the church at length was built.

Gradually towards the close of the 17th century, various European factories, and establishments, sprang up on the banks of the Húgly. Chandernagore and Chinsurah preceded Calcutta, and the Dutch more adroit than the English, fortified themselves much sooner. As years wore on, village was added to village, and biggah to biggah until the new settlement of Calcutta began visibly to grow and prosper—and as it did so, in consequence of the security they enjoyed within its limits, a great many wealthy Hindus were induced to settle and build houses—so that by the termination of the first quarter of the 18th century, Calcutta might well claim to be the capital of Bengal.

What is one great civilizer of nations but intercourse? Come it of war, come it of peace, and the trade that is sure to follow in the footsteps of the latter—the effect is the same. Where intercourse is slow, civilization will be slow and desultory. Its grand spring of vital energy is commerce; and one of its greatest triumphs was the scientific improvement of the sea communication, between the West and East, dating from the union of the two companies at the commencement of last century. That measure infused a vigour of co-operation, and an unity of purpose into eastern affairs, until at length one of the results was the finest mercantile marine ever seen. These were noble floating castles, with abundance of comfort and ample room, when the ships of the Royal Navy were so many stifling, unventilated purgatories, the abodes of cruelty and despair. Slowness in regard to intercourse, makes every thing else halt. It begets a slowness in seeing defects, and consequently a slowness to reforms of every kind, and the necessity of adapting changing circumstances to social demands. In the

days of our great-great-grandfathers, London was almost England. Thus a government to be modified, reformed, or subverted altogether, the machinery of the change was forged in the mighty foundry of the great Babylon. It in a manner absorbed every thing, and every man of mark and likelihood hastened there. Now, there are other Babylons to compete with Babylon the great—and in a few hours, a man may traverse kingdoms and capitals. The world is now wider than it was, in consequence of improved intercourse; steam power annihilates time and space, and makes all lovers of celerity in movement, happy. It doubles the value of time, while it is a saving of expense in a hundred ways, that may not be obvious at the first superficial glance. Celerity of intercourse, gives an immense impetus to political and moral progress. In the days of our forefathers there was only one city, and that was London. All besides were paltry towns, or mean villages, between which communication was uncertain, as well as slow, and beset with dangers of which we can now scarcely form an idea. Our forefathers knew as little of some parts of their native country, as we now do about the interior of Africa. Even in the reign of George II, a journey to London was a very serious and tedious affair, especially for travellers of limited means, while highwaymen were apt to add, disagreeably enough, to the expense of the trip. Reckless dare-devil fellows they were too—who ordered the traveller, or a whole coachfull of them, to stand and deliver, with peremptory politeness—and who never lost their temper, but if met with negatives, blew out the brains of the propounder with much complacency. It was thought quite an extraordinary feat in his day, for Dr. Samuel Johnson to visit the Hebrides; nor are we disposed to undervalue the noble latent energy of character, that led him to undertake an adventure, which even some of the be-powdered and be-essenced Scotch Aristocrats themselves, shrank from with a shudder. Yes, honor to sturdy old Sam, who did not fear to trust himself among those uncivilized mountaineers, who were considered in much the same light as the wild Indians of the American Savannahs—and yet every Cockney now shoulders his gun, and affects to go deer stalking, or grouse shooting, to the highlands and islands.

The history of national manners would of itself form a volume. A glance at its merest outline is necessary to the proper illustration of our subject. The age of the first James was singularly corrupt and hard. Nothing marks the corruption at its core more emphatically, than the distrust every body had of every body. All suspected each other morally and politically. There was no honesty and no confidence. The dagger and the

bowl were by no means uncommon modes of settling a knotty point between individuals. It was an age full of shifts and expedients, and every one trying to make as great and swaggering an appearance as possible. A good deal of the Spanish solemnity and hauteur, was embroidered on the plain broad cloth of English character—but with a sort of consciousness as if people dreaded that their pretensions might be found out, whether in regard to wisdom, or wealth, literature, or devotion. The first Charles' age was more refined by art. The rude chivalry of the Elizabethan period had vanished. The solemn Spanish gravity too began to relax. A line of separation began to be distinguishable more broadly than before. A gradual segregation became visible in manners, morals, and religion.

Formerly there was a certain homogeneity of coalescing interests and a union of sentiment respecting things in general. The Bible began to be more generally read, and there were more readers on all subjects. Authority in matters of conscience could no longer issue decrees unquestioned. Men began to investigate and to reason for themselves, and though apt to have their ears or heads cropped off for their audacity, still they persisted, as the nature of that unerushable thing, the human mind is. There was much haughty menace on the one side, and silent defiance on the other. As stretches of prerogative became daily more bold, so did the growing and grim sturdiness of a resistance, whose sword was still in the sheath. On one side of London streets, might you now see rakish, luxuriously dressed cavaliers, the flower of the age, with long perfumed locks, reckless of what they said or did, as they lounged along, twisting their oiled moustaches in defiance—perhaps at a solitary figure passing down opposite—with hair cut short, clothing plain almost to affectation, and of sad coloured stuff, quiet in manner—but collected and firm, and if he heard the name of God mentioned, he raised his hat—while some gay ruffler, in passing, nudged his fellow to look at the Roundhead. Then came the mortal struggle of extreme opinions, in polities and religion, the moral hurricane that it was hoped would purify the atmosphere, but which merged in a flood of corruption and licentiousness. The Puritan interregnum was fraught with moral grandeur—but it was apt to war too much with feelings that admit not of being screwed too tight, and visit harmless recreation, as if it were the most heinous sin. The ruffling, godless, free and easy manners of the restoration, succeeded, tainting every department of society and much of the literature of the country. Manners half French and half English became the fashion; and a man to be quite up to the tone

of the day may be said to have been half a tipler, and half a gambler, with a cross of the Atheist. Gaming grew into a regular profession, and nothing is more extraordinary in reading the memoirs of an accomplished sharper, the Count de Grammont—than the naiveté with which he refers to transactions for which he deserved caning, and the avowal of which now a days would blackball one out of any respectable house. Gaming as a pursuit came down to the reign of George III. but obtruding itself less flagrantly upon the public gaze. The state of the Drama after the restoration, is a sufficient type of the society, that tolerated such unblushing licentiousness—when venality affected the senate, the bench, and the pulpit. The reign of William did something to stem the torrent—and to restore order and propriety. Queen Anne was a non-entity—save in respect to her being the nominal sovereign. She had too little of fixed character to affect society in any way. Order and propriety were rather the fashion—and she went quietly with the stream. Naturally a dull woman, she became a tool in the hands of favorites, a sort of moral Juggernath, to be dressed out and exhibited by certain Rajahs and Ranís—whose vocation it was at stated times, to exhibit the idol to the best advantage, while real worth and desert, and the national interests themselves, were crushed in the mud under the wheels of the car. The reign of the First George was not very propitious to virtue, and however people might laugh at the monarch's taste—it could not be denied but there was labefaction in his example, since evil done in high places is not only likely to spread, but to descend. The influence of a Queen Consort was beneficial to the improvement of manners in the next reign. There was still much corruption about the court, but the wings of the press being now nearly full grown, people began to dread the glance of its eagle eye. The manners of the Great Babylon with an exterior of great formality, and distressingly punctilious politeness, were a screen to much real coarseness at the core. Swearing and deep drinking were too much in vogue—and double entendres after dinner, sent the bepatched and beflounced ladies away blushing, to the drawing room, where in an hour or two they were joined by a number of highly dressed, big-wigged, flustered gentlemen, wearing swords, and ready to use them upon the slightest provocation. We may mention in evidence of the sense of propriety and delicacy of the day, at least in court life, that when Sir Robert Walpole married his mistress; the Queen (if we recollect right) and the maids of honor, were all present at the wedding, with sundry other dames

of high degree. From the foregoing, one may judge in some measure of Indian society up to the capture of Calcutta. Such as the tree was, so would the branches be. The manners here, it is to be presumed, were, to use an Indian phrase, a *muster* of those prevalent in the Great Babylon. At any rate we may be satisfied that it was not the elite of Society that came to India. The social horizon up to the middle of the 18th century tantalises by its very dimness. The curiosity of the inquirer is set on edge by the obscurity, just as if a candle went out on opening an interesting book, or better still, just as if on opening the said book, we found the first fifty chapters had been torn out. We would fain know more about the childhood of Calcutta, especially; which we consider as terminating with the capture of the place by Surajah Dowlah. We yearn to see the progress of the small beginnings more distinctly, and to get a peep at the men who were the movers of things and persons in their day. Men who did much with small means, and sowed the seeds of empire for their country, though they themselves are scarcely known to fame.

The Church-yard, in the midst of which St. John's Cathedral now stands, was in those days—'without the gate?'—and had no church at all within its enclosure. The church of Calcutta stood then, at the West end of the range called Writers' buildings, but was destroyed by fire in 1756—at the capture of the city. What is now a church-yard was then a grave-yard, the Golgotha of the place. It was quite without the city, between which and it was, what was called the gully, a foul and deep nullah, into which all the impurities of the town were cast. This nullah was spanned by a bridge over which funeral processions passed—occupying about half the breadth of old Post Office Street. Crossing into this suburb, many a proper man passed feet foremost over that 'bridge of sighs.' There, in that green square field, level as a bowling green, where

> '*Then* heav'd the earth in many a mouldering heap,
> The rude forefathers of Calcutta sleep.'

Why the memorials of the dead were removed from the humble graves they covered, we cannot tell—unless it was to prevent any more burials taking place there, after it became nearly the heart of the city. The rule, however, has not been adhered to, for two Judges and two Bishops lie there, taking their rest. We cannot assert here that the rule was more honored in the breach than the observance—since it is but a very questionable precedent, to determine on removing all memorials of the precise spot occupied by the poor but obscure dead, in order to cumber the very same place with the

sepulchres of those of higher rank and station. For more reasons than one, we sincerely hope, there will be no more addition to those brick and mortar edifices, and that the ground will be broken no more for ever, for King or Kaiser.

It is a question to be asked, but not so easily answered, how all those whose mortal dust is contained in that meadow like field, over which erst so many tears have streamed;—lived, moved, and had being. There mouldereth old Job Charnock, Esquire, Chief of Calcutta, or as his name was pronounced by natives, and is spelt by Hamilton, no doubt from hearing it so pronounced by Europeans, as well as natives, *Channuck*. There was not a greater difference between the London houses, clay floored, and rush strewed, of the Plantaganets, and the gorgeously carpeted, draperied, and or-molu gilded drawing rooms of Belgrave square now, than there was between the Calcutta of Job Channuck—and the re-edified Calcutta of Lord Clive. From Surat to Bombay, at Fort Saint George, Masulipatam, Cossimbazar, Balasore, and Piply, the style of living was the same. It came entirely under the comprehensive term of roughing, both as to external means and appliances, and table fare. It is singular, but is no less true nevertheless, that we know more about the personal history and appearance of an Athenian sage who flourished some time before the Christian era, than we do about old Job Channuck. Both have the sacrifice of a cock incidentally, or circumstantially, associated with their name. In regard to Socrates that little request of his just before expiring has occasioned much speculation:—

"Ω Κρίτων," εφη, τῶ' Ασκληπιῶ οφειλομεν ἀλεκτρυόνα, ἀλλα αποδοτε, και μη ἀμελησητε. We owe a cock to Esculapius, which do thou see to, O Crito. Singular last words—for they *were* the last of that illustrious man—what mean they? Might they not mean—O my friend, I am just about to be cured for ever of that malady called life, we owe a cock to Esculapius. It was a proverbial expression, just as it is proverbial in the rural parts of Scotland, to say in regard to a grateful sense of favor conferred.—"I owe you a day in harvest." In regard to our old governor of Chuttanutti again, the question of his annual sacrifice of a cock on the grave of that Hindu wife (whom he espoused under such romantic circumstances—after rescuing her from burning on the funeral pile of her husband) somewhat perplexes. Has this kind of ceremony any significancy in Hindu ritual, or did he thus befool himself, as respects a heathenish ceremony, in consequence of a dying request of hers? Be that as it may,—on a sultry day of the year 1690, several boats stopped off the bank of the river Húgly, close to the dirty straggling

village of Chuttanutti. One is a large budgerow with the English flag flying at her mast-head. She is crowded with armed men both European and native, and the other boats, among which are a few baulealis are full of people. A somewhat portly looking man stands on her deek, over whose head is held a roundel or chattah, covered with scarlet cloth. He is dressed in a suit of half Flemish, half Spanish fashion. On his head is a broad leafed Flemish beaver hat, with two feathers falling to the left side, from beneath which may be seen his long locks of grey hair. He wears a short doublet of fawn covered satin—with a short light cloak of tusser or country silk. Down his neck is a ruff and falling collar of lace. His nether man is clad in Nankin breeches of liberal wideness ending in fringes at the knee—three inches beneath which they are met by the wide tops of boots purfled with red morocco, while the interval between discovers white silk stockings. Round his waist he wears a broad buff belt, girt with a massive gold buckle, from the belt descends a long rapier—and the ornamented stocks of a pair of pistols are seen above the upper edge of the belt. His bushy eye-brows and grisled moustaches, his quick remarks and abrupt tones, give him a certain sternness as he is carried ashore, where a salaming crowd receives him. Reader, if you do not like this fancy portrait, go and procure a better elsewhere if you can. The chief then steps into a Taun-Jaun and pointing to a wide spreading pepul tree desires to be carried there. Thereto he is borne accordingly, his roundel carried over his head, and while sitting under the grateful shade of that tree—and while holding communion with the Naib, and head-men of the village—there, *sub tegmine fagi*—at the place now known as the Boitakannah—the Patriarch of Chuttanutti, determines that the capital of British India shall thence-forward be fixed. But it appears that his Tusculum, his country residence, was at Barrackpore, where he resorted to, not perhaps so much to avoid the dust and bother of his bustling capital—fumum, et opes, strepitumque Romæ—as to be near that grave, where, rough and stern as he might be to others, (and tradition has it that he was so) there rested one, with whom his heart still beat in sympathy.

Our old city patriarch, must for some time, have led a most Robinson Crusoe life. Every thing had to be made, or to be got in the way of furniture, from Húgly. Hanging punkahs were not in the present, or perfect, but the future tense. The leaf punkah of all sorts and sizes, either carried in the hand, or borne by a bearer, refreshed the Indian pilgrim of those days. Chairs were few, and when people called on each other, a chair,

and a punkah were carried from house to house. For reasons cogent and delicate, the visitor was not always admitted into the house—but was shewn to a Chubbútra over which was a shemiana—and there well shaded, the host and his visitor had their canary wine, or more egregious still, their 'Boul Pongis' together, and talked of the last arrival from England some eight months before, and their hopes of there being another soon—as it was *nearly* due, or of the capital wild buffaloes, and occasional tigers, to be found in the Chowringhi jungles just behind the village of Govindpore. The first houses were mere sheds—or small bungalows, such as an invalided Sergeant runs up in some outskirt, with plantains and mangoe trees, stuck here and there about it. To these suceeeded one storied houses, raised well on high arches, with a double staircase, but no portico in front—the godowns behind the arches, being used for storing away goods and lumber. There was a particular public room furnished exactly in the style of the East. That is to say, over settringes on the floor, was laid a clean white cloth—on which round the walls was a raised divan of pillows; while large pillows were laid carelessly, for people to help themselves to—one or at the utmost two chairs, also stood in the room. This was the reception chamber—to which the burkundaze's shout on the out side, from the lower steps of the stair case "bar ka Sahib, Khubbur dijo"—gave notice to the inmate, as he lolled smoking his hookah, that some one was coming. Many artieles were wanting that we deem mere necessaries. There were no wall lights. Brass candlesticks stood on the table with lighted wax candles, protected from currents of air, and insects, by what was deemed a splendid invention, or those cumbrous and clumsy blue glass shades, open at both ends, which one may still see in China bazar shops. Others who could not afford so much luxury, had a cheraugh lighted in a tumbler, placed upon a teapoy, just as we see now in a bathing room at night. The office of the Abdar was as yet rather to purify than to cool drinking water—since our forefathers were not so particular, in regard to cool wine as their descendants. As time wore on matters improved, but in the usual slow way, when intercourse itself is laborious and slow. At first the larder was very limited, and consisted of poultry and kid, or goat mutton. Pork was a good deal in use, of which plenty could always be obtained from Ingellee, where pigs ran wild in great numbers—and wild ones might be procured in the woods that then covered the whole face of the Esplanade, and all the space from Esplanade Row up the Durumtollah—towards the Circular Road and Bhowanipore. Beef was not—neither was beer—save

an annual present of stout from a ship Captain. Wine and punch (the Boul Pongis of Bernier) were therefore in great and excessive requisition. Indeed from Bernier and Hamilton both, we gather that it was no uncommon thing to see people —'set ardent in—for serious drinking.' Boul Pongis was a greater enemy to human life than the climate. Bernier defines it—"a certain beverage made of Arack, that is, of strong water, black sugar, with the juice of lemon water, and a little muscadine upon it, which is pleasant enough to the taste, but a plague to the body and to health." The worthy Frenchman writes, as if he had got a headache from its use. He adds that Europeans—"since they had found that a little wine of Bourdeaux, Canary or Chiras, was a marvellous antidote against the ill air—there was not so much sickness among them, nor did they lose so many men." Here a false theory, that the constant use of stimulants kept the ill air, or miasmata from affecting health, became a cause of excess, while time hanging heavily on hand, with persons to whom reading was not a general and happy resource—was another.

Much sickness and loss of life were the frequent lot of the first settlers. This was the case at Balasore among the Dutch and English. Sometimes it was caused by unavoidable circumstances, or at least such as the victims had no controul over, as in the case of Sir Abraham Shipman who had come out as commander of the king's troops, and to take possession of Bombay. He was under the necessity of cooping up his force on the little Island of Agendivah, where himself and the greater part of his troops died from the badness of the climate, and the want of provisions and proper accommodations. No conception can be formed of the deplorable misery of such a calamity, especially where there were but few medical men, and professional knowledge itself in a low state—and no commissariat to refer to. After Sir Abraham's death, Mr. Cook, who had been his Secretary, to save his own life and the lives of his companions, was compelled to take refuge in Goa—though aware of the unfriendly feeling towards the English entertained there, and of the place not being reputed healthy. At Bombay too, the mortality was great, for recruits died almost as fast as they arrived, so that the Island got a bad name. In Hamilton's time, there was "a pretty good hospital in Calcutta"—and he quaintly adds, what is likely to have been true enough—"where many go in to undergo the penance of physic, but few come out to give an account of the operation." One year that he was in Calcutta there were reckoned in August

—"about 1,200 English—of all classes, residing in the town, and seamen belonging to the shipping lying off the town, "and before the beginning of January there were four hundred and sixty burials registered in the clerk's book of mortality."

There were also various circumstances of social discomfort. There was much left undefined in the relative position of the members of society, both Native and European. At first Native pretensions preponderated, but these soon gave way before the ascendancy of the European. There was much harshness in the manners of the latter which is the case even to this day, for reasons that are obvious; but particularly owing to the apathy of servants whose faults of omission and commission, and utter carelessness in regard to all property entrusted to them, and habitual disregard to all truth, continually harass the European and irritate his temper. The want of community of language, and thought, greatly enhanced this evil. The common language of intercommunication all along the coast, was a bastard Portuguese, or lingua franca. Then succeeded a smattering of Hindústani or "Moors." Ignorance on the part of the European must have often compromised him with the Natives—and this mutual misconception sometimes had fatal results.—Hamilton relates a story sadly illustrative of this. The English company had a factory at Batacola southward of Onoar, but about the year 1670 an English ship coming there to lade, had a fine English bull dog which the chief of the factory begged of the Captain. After the ship was gone, the factory, consisting of eighteen persons, went a hunting, and carried the bull dog with them. "Passing through the town the dog seized a a cow (bull?) devoted to a pagod and killed her—upon which the priests raised a mob, which murdered the whole factory; but some natives that were friends to the English, made a large grave, and buried them all in it. The chief of Carwar sent a stone to be put on the grave, with an inscription that this is the burial place of John Best with seventeen other Englishmen, who were sacrificed to the fury of a mad priesthood, and an enraged mob. The English never settled there since." It is not the wont of Asiatics to use a little brief authority with moderation—and any mortifications we might receive under that head, were kept in lively recollection, with reference to their repetition, should opportunity offer—as for instance when two English factors were sent from Surat on an embassy to Arungzebe at Delhi, where they were made to approach the throne, with their hands tied before them with a sash, and asking pardon with prostrations. Our predecessors had to contend continually with the jealousy of the Mogul

Court, and of perverse Nazims. Customs and Sayer duties were levied with rigorous greed, of which not a rupee went to the imperial treasury, but into the pockets of interested officials who plundered all merchants under the sanction of law. Living as they did, too, in an unfortified factory, or unwalled town, they were liable to frequent alarms, and sometimes to serious attacks. The slowness of communication with England, on the other hand, was the source of much painful suspense and anxiety, which sometimes left them in a state bordering on despair; while there were petty vexations without number, to which they were subject from the wanton insolence may be of a native government jemadar, or chupprassi.

Then came the rivalries between factory and factory, and heartburnings between fellow merchants, servants of the Company, the more difficult to arrange, and allay, from the absence of proper land marks of authority and the want of controlling tribunals; disputes were frequent and bitter, the strong continually pressing on the weak, and inferiors, in the unreasonable resentment of the passing hour, questioning the behests of legitimate authority. Jelousies also very early occurred between King's and Company's officers, the first instance of which we find on record, being that of Mr. Cook, formerly Sir Abraham Shipman's secretary, who getting into the chair of office at Bombay and playing some 'fantastic tricks' there, refused to attend to the remonstrance of the chief of Surat, and riding the high horse, wrote Sir George Oxinden to say, that he possessed powers superior to those of the Company's representatives, and further wrote to the Nawab, that the Company were in fact *his* dependents. Nothing could be more absurd and mischievous than transcendental claims of this sort, which gave the native powers an idea, that both parties were mere pretenders; leading to serious interruptions of trade, and affecting the public interests disastrously in a variety of ways. All parties on extraordinary occasions, were liable to be pressed into the service of the Company, when the little republic of castle, or factory, was presumed to be in danger. Capt. Hamilton had thus to shoulder his musket, at Bombay, in the troublous days of Sevaji and the Sidi Yacoob.

The state of morality was such as we might anticipate, from times and circumstances, not favorable to the happiest developement of rectitude. Authors give us nothing very definite on the subject. The Portuguese were in no way very exemplary, while their power lasted, either in a public or private point of view. The establishment of "thirty thousand church vermin," as Hamilton coarsely phrases it, in Goa,

alone, was not a circumstance favorable in itself to give vital energy to religion or morality, and to support such a large number must have heavily taxed the people at large, while many of the Friars themselves, may have found it necessary to win a subsistence by not very creditable expedients. We learn from the authority already quoted, that the Portuguese not only beat their own servants, but any unfortunate creditor who ventured to dun them in propria persona. Some excuse may be pleaded for their want of punctuality in discharging common debts, on the supposition, that the numerous claims of the church, considerably detracted from their ability to liquidate them. We have seen that the Company's servants were forbidden to form legal ties with women of the country. Bearing in recollection, that in those days, no Englishwomen, or very few indeed, came to this country, the result of such a state of things will be easily conceived. It unquestionably did not fail to become a great stumbling block. Laxness increased by indulgence, affecting society variously according to bent and temperament. Hamilton alludes to "the good old custom"—of the factory chiefs, of treating strangers with pretty female dancers—"who are very active in their dancing and free in their conversation where shame is quite out of fashion." Goa, there is no denying it, was a huge hot bed of vice; and contaminated many. The Portuguese had a factory at Mangalore, and a pretty large church—"because great numbers of black Christians reside here. The priests as well as their congregations, are the very scum of Christianity. The clergy are so shameless, that they will bargain with a stranger to pimp for them, and the laity look on w ——— thieving and murder, as no sin, if any gain can be got by them." He relates an anecdote that may not inappropriately be alluded to here. A ship belonging to the Scots East India Company (for such a Company did exist but soon ceased to be) had sent out a ship full of cargo. It was the only one we believe they ever despatched. She appears to have been purposely cast away, on some rocks in the straits of Malacca, for the private gain of the commander and his coadjutors in this nefarious trick, which is now a stale one. "What the Scots Company's cargo was," observes our authority, "I did not see, but the supercargoes had a chest of glass-ware in their own private adventure, the most obscenely shameful that ever I saw, or heard of, among merchants." He then gives a more particular description of a portion of the freight, which cannot be entered here. Now we will venture to say that the poorest Jemmy Ducks that

ever fed, or wrung the necks of, poultry, on board of any Indiaman, within the memory of man, would have turned away with scorn from a proposal of joining in such an investment. Nay, no glass-maker would now dare to make such articles, and when made, no man would have the shamelessness to shew them to others with a view to their sale. These abominable things too, were intended to be sold to the natives —if so, what a pretty notion they must have afforded of the decency of European Christians. If intended again for sale among Europeans along the coasts, it cuts the other way, and gives a sad idea of the taste of the times.

Many acts of oppression and cruelty were no doubt perpetrated that were not formally recorded. By the examples that could not well be hushed up, we may judge of others that were. "They have no martial law at Fort St. George (says Hamilton) so they cannot inflict the pains of death any other ways than by whipping or starving, only for piracy they can hang, and some of them have been so fond of that privilege that Mr. Yale hanged his groom (Cross) for riding two or three days journey off to take the air," for deserting we presume. "One of a later date, the orthodox Mr. Collet hanged a youth, who was an apprentice of an officer on board a ship, and his master gone a pirating"—the upshot was that though the poor youth gave information and helped in taking the pirates—that he was hanged. "Gone a pirating," Capt. Hamilton uses the term off hand, as if it were a common vocation, just as we might now a days say, that a man had gone a tiger shooting, or a hog hunting. Many went a pirating—and any one might get another into trouble, especially, if he were a sea faring man, by threatening to accuse him of piracy. In 1696—the crews of two Company's ships mutinied (not perhaps without cogent cause at first) then murdered their officers, and having thus as it were taken out their degree, at once set up as professed pirates. One Baily, a recruit of Fort St. George, in some discontent deserted the Company's service, entered into the Nawab's, but falling into an ambush, was taken by our men and brought back to Fort St. George, where, says Capt. Hamilton—who was evidently a worthy and humane man, though falling from association into such a callousness of expression—"he was deservedly whipped out of the world, and there I leave him." Our author also records—"if any private trader is injured by the tricks of a Governor, and can find no redress, if the injured person is so bold as to talk of *lex talionis*, he is infallibly declared a pirate."

Occasionally some crookedness, or tyranny, in regard to trading operations oozes out, which it is not pleasant to suppose, was perhaps too much the rule at a convenient season. The Pit diamond according to Hamilton was not quite fairly got possession of, and means were had recourse to, to make trade run gradually slow, so as to cheapen articles —"the traders meeting with disappointments, and sometimes with oppressions, and sometimes the liberty of buying and selling is denied them"—and Hamilton further complains that, when the Governor's servants bid for goods at a public sale, some who had a mind to bid more, durst not. As a relief to this picture, instances of chivalrous bravery, legitimately exerted in self defence, might be referred to, as the defence of the castle of Surat by Sir G. Oxinden and the party under him, and of the bold stand, made by Mr. Horden in defence of his factory at Madras, when the Nawab, all of a sudden and without any intimation whatever, came down with one hundred horse and some foot. He had got into the factory with twenty or thirty of his attendants, when—"a resolute bold young gentleman, a factor in the Company's service, called Mr. Richard Horden, came running down stairs, with his fusee in his hand, and bayonet screwed on its muzzle, and presenting it to the Nawab's breast, told him in the Gentow language, (which he was master of) that the Nawab was welcome, but if any of his attendants offered the least incivility his life should answer for it. The Nawab was surprisingly astonished at the resolution and bravery of the young gentleman, and sat down to consider a little, Mr. Horden keeping the muzzle of his piece still at his breast, and one of the Nawab's servants all the time standing behind Mr. Horden, with a dagger's point close to his back, so they had a conference half an hour long, in these above-mentioned postures, and then the Nawab thought fit to be gone again, full of wonder and admiration at so daring a courage."

Referring to Calcutta about 1723 Hamilton praises the Governor's house in the Fort, as the best and most regular piece of architecture he ever saw in India. There were many convenient lodgings for factors and writers within the fort, and some storehouses for the Company's goods, and magazines for ammunition. He describes most of the inhabitants that made any figure, as having the same advantages; and all sorts of provisions, both wild and tame, being plentiful, good and cheap—making the country very agreeable. "Most gentlemen and ladies (there *were* ladies by this time!) in Bengal

live both splendidly and pleasantly, the forenoon being dedicated to business, and after dinner to rest, and in the evening to recreate themselves in chairs or palankins in the fields, or to gardens, or by water in their budgerows and on the river sometimes, there is the diversion of fishing or fowling, or both, and before night they make friendly visits to one another, where pride or contention do not spoil society, *which too often they do, among the ladies, as discord and* faction do among the men." Then comes a little hitch very characteristic of the times though—"and although the conscript fathers of the colony, disagree in many points among themselves, *yet they all agree in oppressing strangers who are consigned to them* not suffering them to buy or sell their goods at the most advantageous markets, but, of the Governor and his Council, who fix their own prices high or low, as seemeth best to their wisdom and discretion: and it is a crime hardly pardonable for a private merchant to go to Hughly, to inform himself of the current prices of goods, although the liberty of buying and selling, is entirely taken from him before." In Calcutta, he states—"all religions are freely tolerated but the Presbyterian, and that, they brow beat." Here we remark the great improvement that a long peace and the lapse of some thirty years had brought about. Calcutta rose daily more and more into consideration. Three years afterwards a Mayor's court was established. In 1738, luxury, or what was then deemed luxury, became very prominent at the settlement. Its greatest climax was, the President riding in a coach and six, and sitting down to dinner with a fiddle or two, and a French horn and clarionet or so which was magnified into a band, and the Court of Directors were very irate at such prodigious doings, shrewdly suspecting that the expense of all this music, and coaching, came out of their own pockets. It is probable that the idea was borrowed from the pump room at Bath, where Beau Nash, at the time, was so absolute a monarch—and that with a fond reference to, auld lang syne, the magnates of Calcutta were trying to do a little in the Bath line also—the coach and six being one of king Nash's eccentricities.

The increasing length of this article precludes us from referring particularly to the growth of French influence in India, and to many matters of interest, which we might otherwise be disposed to expatiate upon. As respects affairs in Bengal from first to last, the work that forms Number 6, of the heading of these discursive observations, will be found an admirable guide. Under a very modest title it forms an invaluable epitome of

information and knowledge most lucidly and happily arranged. We wish that Mr. Marshman could command leisure sufficient to extend in another edition the plan of the work, so as to form two or three volumes, with copious notes, the fruit of extensive reading and experience. Such a work from his pen published in England, and duly illustrated pictorially and topographically, could not fail to become eminently useful and popular, and to make the field of Indian research more inviting to thousands of the reading public.

Up to 1755, the company had thriven, like a lusty youth who pursues his careless way rejoicing, but is almost cut off by some mortal epidemic on the very threshold of manhood. The crying abuse of *dústuks*, with other causes, had made their servants, and their rule unpopular, and the Native authorities viewed their every movement with augmenting jealousy. A sense of impending evil cast its shadow, as Aliverdy Khan declined in health, and at length, when he was gathered to his fathers the storm burst. Surajah Dowlah, expectant of rich booty, swooped down on Calcutta. The disgraceful flight of the governor with most of the officials of the settlement, and the wretched defence of the town and fort by a garrison rendered imbecile by conflicting views and professional incapacity, dreading responsibility; are matters of history, and furnish a lesson not likely to be forgotten. Some of those who had escaped the capture of the fort, and the dismal black hole tragedy, lived but to die a more lingering death afterwards, either at Fulta, or in consequence of severe privations and sufferings. Mr. Mill, the Historian of British India, turns round and asks with a sort of malignant flippancy "Black hole indeed! What business had they with a black hole?" That acute-minded man drew here a little upon his imagination—deeming that it was some terrible dungeon. It was nothing more or less than a congee house, an open room, convenient enough to confine one or two drunken soldiers in for a few hours, when they ran restive, (and therefore called by them, black hole) but worse than a bed of Procrustes, even for a less number of human beings than were cooped up in it, through the vile carelessness of Surajah Dowlah's staff, rather than of himself, bad as he was. Mr. Ives very feelingly describes the arrival of Admiral Watson's succouring fleet, and the effect upon the poor refugees at Fulta:

"The reader may better conceive than I express, what welcome visitors we were to our distressed countrymen at *Fulta;* who after having lived in the most affluent circumstances, were now sunk down to a condition that scarce-

ly afforded them common necessaries. The cup of affliction is always bitter, but has the taste of gall itself, when it suddenly succeeds a state of opulence. To sink at once into the lowest poverty from an easy fortune; and from a condition that drew respect from others, to be reduced to one too often attended with derision and contempt; are circumstances that quicken the sense of misery, and make misfortunes more intolerable. This was evidently the case of the present unhappy sufferers; they had maintained some figure in the world; they had kept a generous and hospitable table, where the friend and the stranger had tasted of the elegances of life; but now, by a sudden reverse of fortune, *were themselves obliged to descend to the most servile offices, and to be dependent on the commiseration of others for a precarious subsistence.* They were crowded together in the most wretched habitations, clad in the meanest apparel, and for almost five months had been surrounded by sickness and disease, which made strange havock among them, and yet, when we saw them first, to our great surprise, they appeared with as cheerful countenances as if no misfortunes had happened to them. This serenity of theirs, was certainly in great measure owing to the pleasing hopes they now entertained of a speedy deliverance from their afflictions, though some little share of it might also be imputed to their having been so long disciplined in the school of adversity, so as to make them kiss the rod, and in the true spirit of Christianity, cheerfully submit themselves to the dispensations of that benevolent Being, who, for wise and good reasons, had laid the burden on them."

Nearly a century has now elapsed since Lord Clive's genius and strong hand, gave England that hold of India, which she has never relaxed since. The difficulties he had to contend with, the jealousies he had to allay, and the responsibilities he incurred, were neither few nor light. He was eminently a man of action, and not a theoriser; reading the motives and interests of men in the school of experience, more than through books. Patiently balancing the views of others, he tenaciously acted by his own intuitive judgment, where the risk perhaps was imminent, and where failure would have been ruinous. He beheld India with a prescient eye, and in the spirit of profound sagacity, saw the future turning on the axis of the present; and while others, like some modern reformers, spoke of limitation of boundary, and finality of measures, he recognised the vital necessity of moving onwards, and still onwards. Under the auspices of that commanding mind, arose another more flexible in movement, more agile in resources, and more accomplished in qualifications, but no less undaunted and resolute than his own. It was the misfortune of Warren Hastings, like many master spirits whom history has immortalized, to be far before his age. This was especially the case in all that regarded the consolidation of our Oriental interests. Such men though sure to be misunderstood, opposed and calumniated, have nevertheless staunch friends who stand by them in the day of aspersion. To men of Hastings' turn of mind

this is a tower of strength. By men of Clive's, less communicative, and more reckoning on a self-built foundation, deriving few aids from recorded knowledge; such support is less regarded, and therefore not so available should it become required. Both relied proudly on consciousness of good intentions borne out by splendid results. Both might plead that then there was no time to stand on punctilio, and that one man might be jostled here, and another hustled there, and all complain of hard labour and knocking about, and perhaps have some articles thrust into a leak that they could ill spare. The reply might well be that, it could not be helped—and as in a steamer whose stock of coals runs out, every thing becomes available for fuel, even to the tables and chairs, and packing cases of passengers, so all that can be said, or need be said here is, that the urgency was imminent, and that it could not be helped. The march of truth is sometimes very slow—but in the end is sure. The lie is for a day or a season; but the exposure of its hollow fallacy is for all time. The clear demonstration of truth, is the only reparation eventually, that in nine cases out of ten, calumniated virtue ever receives; and even that, in the majority of cases, is postponed to another generation. To men of the heroic temperament, strong in the consciousness of honesty, and the anticipation of the verdict of posterity; the conviction that the day of truth will clear up the doubtful, some time or other; is a support under contemporaneous wrong. To others, the men of action, and of military quickness of feeling and impetuosity of impulse, the hour of detraction comes when they are unharnessed—when the excitement of great objects is past, and when they are relaxed and enervated by previous exertions in a field of energy and emphatic usefulness. Like some of the illustrious heroes of Greek and Roman story, it was also the destiny of those great men Clive and Hastings, that they should stand forth in grand relief, as remarkable examples of splendid desert, and national ingratitude. The one outlived measureless injustice, and odious though magnificant vituperation. Yes, lived long enough to see the Commons of England, by an involuntary impulse of homage to genius, stand up as one man to honor the venerable and disinterested saviour of British India, whom erst they had strove to crush. The other a giant, was yelped to death by dwarfs. With feelings much more delicately sensitive than they had given him credit for—the strong man was borne down by an unhappy combination of official persecution, rancour, and detraction.

The ascendancy of French interest in Bengal being found incompatible with our own security—it was destroyed with decision and vigour. The Dutch interest shared the same fate; and British power came out of the elements of what were deemed its ruins, stronger than ever. We were thus in Bengal without a single European rival. The privilege secured by the annual peseush of the Company, included only their public trade; but after Clive was gone and another Nawab was set up, the Company's servants resolved to trade without paying any duties at all. What were Nawabs to be raised but to be destroyed, or a betrayal of pledges the most sacred? "Let Glasgow flourish"—says the old civic motto of Baillie Niol Jarvie's city—and so that the trade, not of the Company, but, of the Governor and Council, and factors and writers even flourished, what mattered any thing else? What ale was to Bonniface, trade was to them. They slept upon trade, they fed upon trade, and trade was their universe:

"They went on from bad to worse; their gomastas stuck up an English flag wherever they chose, and oppressed both the native merchants and the officers of Government. Every man with a *doostuck* signed by an Englishman considered himself as great as the Company itself; when any opposition was made, the European gentlemen sent sepoys and seized the Nawab's officers and confined them: whenever any private boat wished to pass goods without paying duty—the boatmen hoisted a Company's flag. The authority of the Nawab's Government was destroyed; the native merchants were ruined; and the English gentlemen made very large fortunes."—*Marshman.*

But the confusion into which affairs were thrown by the universal dishonesty that tainted the moral atmosphere stopped not there. When Lord Clive came out again in 1765, to take charge of the Government, he found it in the utmost disorder:

"No man, not even the Members of Council, sought the good of the Company; the object of every one in the service was to amass a rapid fortune, by whatever means, and to return speedily to England. Injustice prevailed in every department; the Natives had been oppressed, till the name of European stunk in the nostrils of the people."—*Marshman.*

Up to a certain era of our Indian connexion the retrospective view is a disheartening one. Selfishness and political profligacy darken it, while now and then a corruscation of genius and generous impulse, lightens athwart the gloom. Gradually a sense of the government having duties to discharge, besides those of self-acquisition, obtained greater and greater strength. For a long time, this was but a desultory feeling, and led to no adequate results. It had no broad basis of principle, or

science, but rather something passing for it. The improvement of the country and the people, whatever might be professed, never till a comparatively recent period, became a question of serious, earnest, and conscientious consideration. A crack Governor, or a crack Collector, was not the functionary who in the one capacity evinced high statesmanship, or in the other who realized the resources of a district, with less suffering to the lieges, and assurance of steady continuance, but he who by a *coup de main* brought most money to the treasury, and whose potentiality gave the magic word "Dividend" the greatest sweetness of flavour, among the lady and gentlemen proprietors of East India stock. "But how or where this world was made for Cæsar," exclaimed Cato in his anguish. India belongs to a corporation—exclaimed the growlers—what is it but a capital family firm—a fit appanage for younger sons and nephews, and the tree on which grows the quid pro quo of parliamentary influence? This argument has over and over, been put virulently in tomes of pamphlets, and quartos, to which this simple statement of it, is, but as rose water to Aqua Fortis. At length the Crown, or rather the ministry, of the day, became amiably solicitous respecting the welfare of India. True, while the Company was poor, or supposed to be so, or India a dubious speculation this amiable solicitude slept. It were superfluous to inquire here, how much of the interfering policy of the Crown, was attributable to disinterested benevolence, or to some other motive, that might give the administration a *controul* and influence much desired, though not easy perhaps to compass. There is ample field in India for the rhetorician and the grievance hunter, but fortunately the Hindus are not the Irish, and Mr. George Thompson is not an O'Connell. Notwithstanding the hopes and efforts of the government, India is still in a transition state. Scarcely has breathing time been given to improve and coalesce. Much is yet to be done, to purify justice, to ensure a good police, to enhance the security of life and property, and to educate the people. These are glorious objects and they are objects that the Government of India, especially for the last forty years, has had honestly at heart. If so much has not been effected as could be wished, yet has a great deal been sincerely and high-mindedly attempted. Whatever optimists on that side the question may say in regard to Mahommedan rule, it can be only in ignorance of history, that its warmest admirers may compare it for an instant, with British sway. In one respect perhaps it pleased the majority. It dealt in sum-

mary justice. Perhaps we have been too eager in adapting English abstract principles to Asiatic forms and necessities, in regard to a social, and moral system, they do not readily dovetail with. Much is expected in India too, from the government, that is not looked for from the executive elsewhere. Reliance on government has grown up into a sort of supplementary religion. Is it not high time for the natives, of Bengal especially, who have not heard a hostile shot fired since the battle of Plassey, to exert themselves in the cause of improvement, without waiting for Government to give the initiative.

As respects the Directorial government of this country, how often, even in the worst times, have they shewn themselves superior to the low instincts that swayed their servants. As a fountain cannot be pure if the source be the reverse, and as men who had made fortunes in India with dishonest celerity, got into the governing body at home by the weight of their purses, we can well imagine that their co-operation might not occasionally be all that could be desired, by those of a more scrupulous cast of mind. Nevertheless, would not their *experience* be of great use in the Court? Who could better point the finger to the warp of our institutions in India, or more readily suggest how great abuses could be prevented, on the part of those who might be inclined to turn the interests of government too much to their own account? The course of events, even antecedent to the purer phases of Indian history, will frequently shew the Directors taking the side of justice, mercy, and liberal consideration. Their commands, however, too often kicked the beam, when the private interests of their servants were pertinaciously cast into the opposite scale. Much of the oppression that unhappily took place, occurred beyond the controul of the home government, at least for a time, and they were sometimes kept artfully ignorant of matters that ought to have been unfolded to them in due course of operations. What might seem connivance was sometimes only ignorance, or absence of information; for the frauds and oppressions committed, proved occasionally such a tangled yarn, such a gordian knot, such an impervious jungle of sophisticated mis-representation, that it required a Hercules, with a hatchet, to cut through it.

Neither can it be denied, that a defect running through the whole of the machinery of Indian polity, has been to trust somewhat too much to the chance of expedients, rather than to a scientific and matured plan of completeness. There is perceptible throughout the schedule of our connexion with India,

a coming short of totality, a deficiency in comprehensive harmony, of design and combination. Each succeeding governor (and with the head of the army it has been the same) has had some leading idea of his own to work out, no matter whether it linked well with antecedent ideas or not. This has given a certain oscillation to events—for how often has the policy of one ruler been quietly repudiated by another, or undue rashness alternated with temporising management at the helm? We have attained to vast empire dreaming still of expedients. We seem to have forgotten that the government of the Company is in its strong manhood, and not in its green youth. We have acted too much, as if all our details, to a fraction, were associated with the cordial attachment of the people. Satisfied of the honesty of our own intentions, we have not made those sufficiently level to the comprehension of all. We have trusted too much to opinion, a cable that in the ground-swell, and undercurrent, of adverse influences, has more than once nearly snapped, compromising the safety of the state vessel, within sight of the breakers. It may be said, we fear with too much truth, that almost every department is short of its due proportions. The Finance, thePolice, the Judicial departments, are not so complete as to constitute perfection. The wheels of establishments, somehow, creak like those of an unoiled hackery. All men complain of the police, and men of business are not satisfied with the working of the treasury machinery.* In regard to the judicial department how can the natives of India help making comparisons, when they see the broad distinction existing between the Supreme Courts, and those of Sudder Dewani Adalut of the three Presidencies? Are these distinctions not marked strongly in fact, as well as inference? Is there not a tendency therefore to deem one inferior to the other? Will not the question of judicial independence at once suggest itself to a people less sensitively alive to their own interests, than the natives of India? Is there no objection of principle to having two sets of judges in one court viz, *pukka* or permanent (permanent during the pleasure of government) and *cutcha* or temporary, differently paid though performing the very same routine of duty? Is it the perfection of reason, that this should be so, and that the very consideration, that these are temporary and on a lower scale of salary, a great deal, than the other, should be so palpable as to place those affected, in somewhat of a false position, with regard to the speculations and inferences, of such subtle and litigious suitors as come into these courts? Are the

* The Department of public works also is one urgently requiring reform.

facilities for appeal, from the lower courts, all that they ought to be? And are there not orders pending, even to curtail them still more? Look again at the position of another grave and important question. There is no subject that is of more emphatic weight, in the balance of wise consideration, than the education of the people. How is it dealt with? As a supplementary matter, and as such handed over to a body of functionaries already burdened with their own proper official work. It is an old saying that unpaid labour, is next to good for nothing. The wants of the country require that education should be grappled with in a very different fashion to what it has yet been; and that it should have a liberally paid Board of its own, the members of which could devote their whole time to it—and come to their very responsible task, with energies undistracted, and unfagged by other calls and cares.

It is frequently said, as with a sigh, that India is not the golden land it once was. Viewed properly, the answer to this reflection is—and a happy thing it is for all parties, that India is not so! If the earlier European occupiers found golden fruit on the trees, the very facility of gathering it took away from its value. It is undeniable that fortunes in times gone by, long since—were acquired by means that corrupted the best feelings, and sullied the worth of the man while they enriched him. If duly traced, such acquisitions will be found to have in some instances rendered the possessors miserable, and in others to have truly in the phrase of the sacred penman, made themselves wings—and fled away. Some who hear or read of those days may wish we had them now. A little reflection would correct such idle cravings. Who would not prefer to live in India now, than in the days of Clive? Were it possible to bring back those days, on how many points of repugnance should we not be hourly thrown. How much better they are to imagine, than to pass through as a reality. There is instruction even in tracing up the elements of society—and fancying the fusion of those that previously existed, into the figures of a living panorama. Thus for the pirate of the uninviting past, we have perhaps the preventive officer of the present,—for the formidable Job Charnock with his irresponsible powers, a polished Secretary to Government in the plausible department—and instead of a kidnapping truculent Portuguese Assassin with three wives from "Rogues River," an exquisite "Calcutta Gent"*—at the theatre, exerting his ogling powers,

* "The Calcutta Gent"—is a Sketch admirably true to nature, one of the spirited pen and ink drawings, of the little work forming No. 8, of those heading these

to captivate *one*. With what disagreeable impressions one rises from perusing many of the details of those times. What a contrast our own form with them. It is like the refreshment the eye feels in a cool shady arbour, after passing through the glare of hot sunshine, without an umbrella. Now justice and mercy go hand in hand, and security reigns throughout the land, while the humblest has his remedy if injured by the loftiest. Competence can no longer be acquired by wild and desultory snatches, and leaps, at opportunity and fortune. Every one in his place, must exert himself steadily and consistently, and this salutary struggle of the faculties, gives dignity to character and value to acquisition. What a noble field India is for honorable ambition. When people become querulous, they are apt to forget many circumstances, that shed a charm on life in India, which formerly it could not boast of. We are in every respect better accommodated than our predecessors of the days far gone by, were, and we have what they had not, abundance of—all kinds of books. In the vast volume of Indian contemplation, there are chapters full of interest for every taste, to the intellectual. The philosopher, the poet, and the artist can never be at a loss—and the man who has an intellectual pursuit will seldom become the slave of degrading appetites. How truly, as respects art, has it been remarked by an observer of cultivated taste among us—

"The broken brick wall of the native cottage with varied earthen front, and occasional interspersing of mat and rude mud plastering, the ruined thatch, the heavy creeper, overspreading the roof, the projecting bamboos, the light pigeon frame in the vicinity, the humble artless vehicles and implements of husbandry, the gaunt, shaggy, fleshless tattoos, the oxen, the natives themselves, their primitive attire, their attitudes—forms—varieties of castes and occupations, and peculiarities of every picturesque description, —these are on every hand, at every village throughout the country, awaiting the pencil of the artist and courting transfer to his sketch book. Is it not idle then to complain of the want of subjects and the insipidity of the country? the reverse is the positive fact. Why, every ghaut in the whole line of the Ganges is a subject, and every group of natives before you a picture."*

All this is very happily put—and under the guise of a simple remark or two—we have a series of not merely artistical, but poetical pictures placed before us.

Manners themselves have undergone a great and important change. If we are less formally polite than our ancestors, we

observations, and the production of one capable of something much better in a wider field. "Tattersal's in the East," is also a capital local Sketch.

* "The Bengalee."

are more unobtrusively simple. We fall indeed into the extreme of impassiveness, or something like apathy—that being deemed the *point de vice* of modern politeness. If the rough hospitalities of the olden time are not in fashion, the intercourse of life has not lost much perhaps by the change. The army particularly has reason for congratulation. To say nothing of being raised in the social scale by an amelioration of its own morale—it is now an army indeed, and not a rough contingent. Formerly the path to those honours and distinctions, which are the soldier's dearest meed, was closed against them. They had only the stimulus of money to urge them on. The pecuniary remuneration is excellent in its way—but it is neither distinction nor reward. It is the mere wages of labour. The class receiving nothing *but* the pecuniary reward, has a stamp of deterioration on it. This stamp at one time marked the whole army of India. It is now confined to a subsidiary class of it who seem destined for ever to continue Gibeonites, with armies, as if there were something essentially and ineradicably degrading in their line of profession. The Indian Army have cause gratefully to cherish the memory of the sovereign who recognized their right to distinctions and honours from which they had previously been systematically debarred. The prospects of that Army are the finest of any in the world. It were well, indeed, if the commission of its officers were acknowledged West as well as East of the Cape. The distinction is now unnecessary and invidious. They are quite as much officers surely as those of Her Majesty's service on half pay—and it is high time that a derogatory limitation should be done away with, especially as it will cost her gracious Majesty nothing more, than the trouble of issuing an order. It would be considered a graceful compliment, and it is not saying too much, to aver, that the Indian army deserve *that* at least! To expatiate upon the blessing that steam communication has conferred upon the officers of the Indian army, in common with all their fellow servants, would here be superfluous. It brings them as it were within view of their homes. Every subaltern if he is prudent, may now in ten years, revisit his native country—and renovate his ideas.

Asia indeed may truly be considered as the great nursing mother of nations. Even now, in her state of apparent decadence from the types of old, she is, as it were, the vast store house of the Ideal. Through 'the palpable obscure' of her mythology, shadows pass before the mind's eye, suggestive of some great falling away of old, when confusion got hold of the

understandings of men, and hero-worship took the place of religion. India abounds in the moulds of worn out thought, creations and systems, that we of a later day dig to, and deem ourselves therefore, wise in our generation. The far orient has the peculiarity of always seeming the same, though containing and developing continually, types of endless variety, dating from the dawn of remote ages. To watch the changes of Asia—is like looking at the hour-hand of a time piece, the movement of which is so slow as to be almost imperceptible, civilization, elsewhere, has produced a homogeneousness of external things, and of speculative philosophy; and series of imitations follow each other. In the East, on the other hand, life is indeed 'many coloured.' The variety of climates, no less than the segregation of masses into castes, and disciples of varying, but stupendous and hoar superstition, has stamped human beings like counters in the mint of a tremendous and soul enthralling mythology. The raw material of humanity is there, quarried out on a most extensive scale, into an infinite variety of forms, rendering society, so to speak, more kaleidoscopic to the gaze of the speculative, than any where else.

However slow the progress of man here may be, as measured by the impatience of contemporary expectation, and the ardour of sanguine philanthropy, emulous for India's advance in the path of amelioration; the time even now is, that out of apparent eclipse she begins to emerge into a brighter destiny, and the most careless observer cannot fail perceiving, what an impressive bearing this magnificent country is beginning to have, not only on the archæology and science, but the philosophy and politics of the West. We have at length, and rejoice that it is so; unmistakeable evidence that the day of indifference, of reproach, and of national phlegm, on that head, is almost past and gone. If not even from a higher principle than the commercial one, England as an exporter merely, and wielder of the energies of free labour, and capital among millions, begins to be alive to the importance of India. Our manufacturing operatives, and mechanics, have at length made the discovery, that they and the Hindus and Mussulmans of the East, respecting whom they formerly felt so little interested, may be eminently useful to each other. They now keenly feel that a vast market has been formed in Asia by British enterprise, and that the races of the East have wants, which react upon *their* ingenuity and give stimulus to industrial exertions. Too long accustomed to consider this country as a *terra incognita*, belonging to some nondescript monster of the Royal species, called the

"Great Mogul"; '*the resources of India*,' became a meaningless phrase to them, nay they heard it with the same impatience of iteration, with which the Athenians listened to the word *just* as applied to Aristides. To form correct notions of the Great Mogul they need not undertake an overland journey, or proceed to Delhi. Let them content themselves with stepping into the India House—and after a look at its Museum, where they will see the trophies of exploded dynasties, and the proofs of territorial dominion extensive beyond conception, they can then send in their card to the Chairman, and in him, they will behold a Mogul more potential than the most absolute of the race of Timur, that ever sat upon the peacock throne.

He who is pre-eminently considered as the historian of British India, and who on the threshold of his undertaking propounded the paradox, that he was the better qualified for the task he had undertaken, by his personal unacquaintance with the country, the languages, and customs, of which he was to give an account—had but small grains of allowance to concede, for obstacles that no untravelled Englishman can properly appreciate. He had no large toleration for exigencies of a complex kind, that came not within the verge of his associations and sympathies. These have reference to physical and moral difficulties, of a peculiar region, clime, and population, that to be thoroughly understood must be seen and felt. English prejudice, and apathy, for a long time formed a barrier which ponderous truths could not pass. The ready sneer, and the incredulous smile, of fire side philosophers, and dandies, was generally the award of him, who, from personal knowledge of India, its races, its productions and resources, ventured an opinion at variance with the set up oracle of theorisers. England, while as a nation overbearing towards her own colonial dependents, was ready by any other mouth piece, save those set up by practical knowledge, to vituperate any thing external to her own chalk cliffs, usque ad auroram et Gangem. India has always been a favourite target to direct shafts of censure at, that otherwise might find a more legitimate aim in the centres of her own policy, domestic, foreign, and colonial. India has apparently been considered as a sort of no-man's-land that might be good ground for the onslaught of pen and tongue, and safely whooped and hallooed down, in the political chace, as a mere make-believe, when the true scent lay elsewhere. If any thing went wrong, India and its merchant company were mighty convenient, as a stalking horse, for the spouting rhetorician, or the aspiring place hunter. Fraught with misconstruction, strange compara-

tively, in its social and political machinery, fruitful for good or for evil, and boundless in resources as in extent, no wonder that India, and its ministrations should have proved a theme of perplexed but dogmatical discussion to those, perhaps, who were truly most ignorant of the subject they expatiated upon with so much voluble assurance, derived from books and the process of cramming for the exhibition. The connexion between the two countries nevertheless, has gone on deepening and strengthening with time. The foundling, as it were, left at our door, has more than requited the step-dame attentions of its rearing, and a nascent consciousness of its claims to more kindly consideration, is developing itself. People are beginning to take some interest in its future destinies. If the parent state blame the nurse, it may well be asked, could you have done better yourself? Nay could you have done so well? We can only judge of what may be, by what has been, and is; where then are we to look for better management, elsewhere, on the part of the parent state? All circumstances duly considered, all difficulties impartially viewed, and all temptations and short comings generously weighed, the government of India may fairly challenge comparison with any, in all the qualities that give strength and dignity to justly wielded power. Where is there a colony better governed; where is there a people more considerately treated, notwithstanding unavoidable drawbacks? To compare the government of British India, with the administration of the Irish portion of the British empire, would be injustice to the former. Let us look at home then. Let us consider the parable of the mote and the beam. The security of life surely is quite as great in India, as it is in many parts of Ireland; and the Bengal ryot may, in most things, be truely said to be better off than the Irish cottier.

The progress of nations in no department is so slow as in the scientific organization of general interests. Grand and solid objects are lost sight of, in the stifling dust-storms of party, or postponed necessarily from the din and clang of war. Oh! for breathing time for peace reforms! Let us hope that at length it has come. Much is to be done—but who shall be so calumnious as to deny that much has been done, and honestly, wisely and well done. To him who may reiterate the taunt of Burke we would say: Si monumentum queris circumspice. Let any unprejudiced person visit those principalities governed by native sovereigns, and compare them with the Company's provinces, and he will comprehend how much has been done. The Company's government in fact has proved the greatest blessing to India.

But for it, that country would now be a vast arena for grasping and unprincipled chiefs to play the same reckless, bloody and devastating game in, that has of late years been exhibited in the Punjab. The improvement of an area so illimitable as India, with its countless millions must of necessity be a work of time. To build even a great fabric of masonry, like St. Peter's at Rome, and to do it scientifically and well, within and without, and in all its parts, took some three hundred years; and shall we cavil at the progress of the work of edifying an Empire, with its millions, in less than a century of time? Surely there is much in this to make the sober mind pause, and the pious to hope. Well may we wonder with a generous admiration, how much has been done with so little encouragement from the State paramount, and with so much natural apathy at home. But there is a stirring among the dry bones. National curiosity is rousing from its long and unaccountable slumber. England begins to feel that she has indeed an enviable, a great, and a glorious privilege, in being selected by Providence, for the splendid stewardship, almost miraculously entailed upon her, by a force beyond all human calculation and wisdom, for the sublime purpose, we cannot doubt, of spreading true science, and saving knowledge among the natives of Asia. "We may anticipate a future of much glory and good for India, and our native country in connection with it. And when we shall be called upon to relinquish our stewardship of this most magnificent empire, the most splendid gem of the British diadem; and when it shall please the great Lord of the heritage to declare that we may be no longer stewards;—then, do we devoutly hope, that in a prosperous country teeming with industry and the arts that civilize and adorn nations, and in a population of many millions, of free, industrious, enlightened and happy human beings, regenerated from the darkness of ignorance, and the thraldom of superstition;—to point to a monument of British sway, more enduring than the pyramids of Egypt, and more sublime than the imperial trophies of the Cæsars."*

* Speech of the grand master of the Bengal Masons on laying the foundation of the Metcalfe Hall.

MISCELLANEOUS NOTICES.

Sanskrit Grammar, by M. Williams, Esq.

We hail with great delight the volume now before us. Up to within the last few years, the Study of Sanskrit has been surrounded by a combination of difficulties, such as to daunt all, but the boldest and most persevering. The Grammar of Sir Charles Wilkins, though highly accurate, presented itself in the shape of a volume twice the size of Buttman or Matthiæ—the young beginner, accustomed to the portable Latin or Greek Grammar, stood amazed at the ponderousness of the Sanskrit Rudiments. Six years ago this defect was partially remedied by Mr. H. H. Wilson; but his grammar, although an admirable improvement on the older form, still presented many things calculated to deter the beginner. In this state of things Mr. Williams comes forward to simplify matters; to smooth the crooked ways and to throw light on darkness. He has not the slightest sympathy with the ridiculous method uniformly pursued by the Native Pandits; he has no respect for the Sutras of Panini; no regard to the antiquity of the Mugdabodha. That is to say, regarding the language as one to be studied by Europeans, he does not see why it should not be commenced and perfected on the same system and with the same felicity as the Classical Tongues. It may not perhaps be known to many of our readers, that five years ago Mr. Williams was one of the most distinguished students that ever entered the walls of the East India College. Gifted with great natural talents, amongst which we may number a great facility for the acquirement of languages, and endowed with a clear and comprehensive judgment, he seemed marked out for a conspicuous part in his future Indian career. Unfortunately domestic reasons prevented his ever reaching this country, and we now find him established as one of the Professors of the East India College and employing his leisure hours in the composition of works like the present. But Mr. Williams must be allowed to state his own views himself:—

"It is enough to say of the present volume that it is the first really elementary Sanskrit Grammar ever published. Its defects will, therefore, it is hoped, not be too critically judged by those who propose to themselves a higher aim than the mere assistance of beginners. To administer to the wants of the *earliest* students has been the one object kept steadily in view; and subordinately an attempt has been made, to exhibit the peculiarities which distinguish the study of this language from that of Latin and Greek. The plan adopted will sufficiently explain itself. It has been deemed desirable not to embarrass the student with too much at once. Types of two different sizes have therefore been employed, the larger attracts his eye to that which is of first importance, the smaller generally contains such matter as possesses no pressing claim to his immediate consideration. The Roman character has been applied to the

expression of the Devanagari throughout the greater part of the Grammar, especially in treating of the rules which regulate the combination and permutation of Vowels and Consonants. There can be no doubt that the false opinion which prevails of the difficulty of Sanskrit, may be traced to the labour imposed, of thoroughly mastering these rules at the first entrance upon the study of the language. They form, as it were, a mountain of difficulty to be passed at the very commencement of the journey; and the learner cannot be convinced that when once surmounted, the ground beyond may be more smooth than in other languages, the ingress to which is comparatively easy."

Passing rapidly over the table of the alphabet, which is printed with great accuracy of type, we come to the combination and permutation of letters. Here Mr. Williams would have the student remember, that the Greek and Latin are not without certain euphonic changes of letter, and whilst allowing that these changes are applied much more extensively throughout the Sanskrit than in any language under the sun, he would have the learner commence by mastering only the most important at first. Amongst these he rightly numbers the changes of the Visargah: "let him master," he says, "the following five rules before he attempts to read a single sentence of Sanskrit, or he can never hope to make any real progress in the acquirement of this language"—and these five changes are given in a table so exceedingly simple and clear, that its perusal for one quarter of an hour ought to fix the rules in the mind of the student for ever. We then have an able chapter on roots which, to our mind, are the great originals out of which the present copious and complicated language was fashioned.

The nouns and pronouns are compassed in as small a space as would be either possible or prudent. We next learn some valuable information regarding the roots of the verb; out of two thousand, about one half follows the first conjugation, about 130 follow the 4th, and about 140 the 6th: of the remaining roots, not more than 20 in common use follow the 2nd, not more than 5 follow the 3rd, not more than 6 the 7th, not more than 4 the 5th, not more than 1 the 8th and not more than 12 the 9th. Hence it is obvious that this great language was originally natural, simple and uniform, and that its great difficulties are mainly due, to crackbrained Pandits and *would be wise* grammarians who perverted the true ends of knowledge, by turning simplicity into abstruseness, and plain language into puzzles. We then have an excellent Chapter on participles, which, in Sanskrit, constantly discharge the functions of the verb itself, and more especially of the verb in its passive form. This peculiarity, to our mind, serves to shew that all the efforts of grammarians have failed to fetter the language in the manner they would desire. In the hands of the earlier and purer poets it has refused to be cribbed and confined, and has made itself a free vent by the use of participles to supply the place of the verb, and sometimes, as is well shewn in the chapter on Syntax, the rejection of *verb and participle both.*

A very common difficulty in Sanskrit Syntax is next elucidated by a chapter on compound-words. The Sanskrit delights in expressing a

series of pictures by compound epithets, all relative to one antecedent; all hanging as it were on one nominative case. A modern poet would tell us, that the hero saw the monster whose back was defended by impenetrable scales—that fire and brimstone darted from his eyes—that long claws hung down from his feet—that the air resounded with the lashing of his tail. The Sanskrit author would probably say in one or perhaps two *slokes*, " he, the long armed Hero, saw the monster with back covered with impenetrable scales—with eyes sending forth fire and brimstone—with feet adorned with long claws—with tail making the air to resound with its whirring. This, strange as it may seem, is the best evidence of the pliability of Sanskrit, and even, when carried out to a much longer extent than we have above described, rather lightens than otherwise the labour of the translator. We now come to a very valuable Chapter on Syntax, the last in the work, and here we are well reminded that our labours in Sanskrit end, just where, in Greek and Latin, they really commence; in fact, critical scholarship in Sanskrit Syntax is unknown; the true test of Sanskrit scholarship lies in the great laws of euphony, so extensive and so unchangeable in the inflections of nouns and in the changes of the verbs. We are then never perplexed as to whether *Jadi*, if, may be used with a present or with a potential tense, or whether *Janat*, as long as, may be lawfully used with the future tense. On points like these the voice of discord is hushed; and no Pundit of either ancient or modern time has taken up his pen on either one side or the other. How different with the Greek, the best scholars are still in doubt as to all the uses of ἄν, and the difference between ὅπως and ὅπως μὴ is yet a very lawful subject for discussion.

With the Chapter on Syntax Mr. Williams's Grammar is ended, but he has very wisely given, at the end of the book, a few selections in translation for the use of beginners; and has furnished them with aids, such as may smooth the real difficulties of the first road, but not such as to encourage any carelessness in the student. One of these selections, we are happy to find, is taken from a little work called the *Sanskritámala* published some years ago in Calcutta and due to the pen of the late lamented Dr. Yates. One word more with Mr. Williams before parting—he wonders that his favourite language should be so little cultivated in the East India College, and he still maintains that, unless made compulsory, it will never attract any number of Votaries.—We will grant him his argument that, though many Civilians have succeeded without the slightest smattering of Sanskrit, yet that they would probably have succeeded much better or, at least, have obtained a deeper insight into the antiquities of India had they but set foot on the threshold of the Sanskrit Temple. We will allow that a fair knowledge of Sanskrit makes the acquirement of many Indian dialects the mere labour of a month or six weeks; but, we cannot but think it a very great hardship that all the students should be compelled to toil at this language in addition to six other extensive subjects of reading. No matter whether Mr. Williams's great ablities can smooth the path and lighten the load; to teach seven subjects in a College like Haileybury, and to

young men of the stamp and abilities generally found there, is perfectly hopeless. We are sorry to use so strong a term, but we have thought upon the subject long enough, and our opinions have been backed by several men of much more extended experience than ourselves. If Sanskrit is to remain compulsory, *two* if not *three* of the subjects, at present taught, must give way before it. At present the knowledge of Sanskrit, which nine-tenths of the Men bring out to India to assist them in mastering the Bengali, the Hindi, or the Mahratta, is exactly similar to that of a boy who should be set down to learn two or three hundred words of Latin, in order that such a smattering might be useful to him when he comes to try his hand at either French or Italian.

We regret that, on this point, we should differ so widely from Mr. Williams, and we gladly turn from the smaller sphere of College life to the benefit which we believe he has conferred on the cause of Oriental Literature in general. The Graduate of Oxford or of Cambridge may, if desirous of attaining any knowledge of Orientals, turn to Mr. Williams's book without any feeling of dismay.

If the study of Orientals is ever to increase, it will be by aid of books constructed on the present plan. Mr. Williams, we understand, is again at work, indefatigible in the same field of research, and we shall hope to hail him hereafter as one to whom Orientalism owes a lasting debt, who neither exalts his favourite study above the purity of Classical Tongues, nor allows the quibbles and alliterations of later authors to be confounded with the pure and often excellent poetry of the Ramayana and the Mahabharat, but, as applied to the East India College, our views are unalterable; and as the mastery, or even a competent knowledge of the seven subjects there taught, is a hopeless case, we leave it to our readers to judge whether Sanskrit is of such paramount importance as to usurp the field in preference to others; apart from this consideration, we must heartily congratulate Mr. Williams on the appearance of his Grammar, and shall be ready to welcome his re-appearance in the same field, and that, we hope, at no very distant day.

Observations on the Nature and Treatment of Cholera, by T. Hastings, Esq. M. R. C. S. Bengal Medical Service, Calcutta, Ostell and Lepage, 1846.

We notice the Pamphlet of Mr. Hastings more, on account of the universal interest of the subject of which he treats, than, on account of any particular importance or novelty in the views and practice which he advocates. Indeed, the author's pretensions are very moderate, and his object, which we heartily second, is to direct fresh attention to the investigation of the nature and treatment of the awful Disease. Had Mr. Hastings followed up his suggestions by a history of his own experience in the treatment of the Disease, either in Natives or Europeans,

his remarks would be more valuable; and we encourage him to supply the deficiency in a future report. It would be well if our Civil and Military Surgeons could be persuaded oftener to venture themselves in print. They would not have to complain of severe criticism. Dr. MacGregor's, Journal in the North West, meets with far too little support from the Profession, whether in the way of contributions of material, or money. Whether from personal or other causes we do not know, but some of the ablest men in India, in extensive European practice, contribute nothing.

Narratives of observations, and histories of epidemics are much wanted, and while India abounds in good Medical and Surgical practitioners, there is a great deficiency of every sort of Medical writers. This is possibly the effect of reaction and improved general education. A few years since, monographs on every disease under the sun, inundated the shops of the book-sellers in London, Edinburgh, and Dublin. Infallible remedies were most numerous for those diseases which were well known to be the least curable, and the author who had seen the least of any given disease promised his patients the most success —remembering, we suppose, the hint of the Vicar of Wakefield, who told his daughters they were simpletons for giving their crown to the Gipsey who promised them only a Baronet and a Squire for husbands, whereas he would have promised them a Prince and a Nabob for the same money.

But to return to the subject of Cholera—Mr. Hastings recommends the hot bath of 110° Fahrenheit, or hotter in the 1st stage of attack, in contra distinction to the warm bath, and with a view to arouse the system and render it susceptible to the medicinal agents afterwards to be administered. Perhaps the hot bath is worthy of further trial, though we must warn Mr. Hastings that it has been tried by many and not approved. Dr. J. Mouat tried baths at Berhampore in 1828, in H. M's. 14th Regt.

In the transactions of the Medical Society for that year, an able paper appeared from the pen of that Gentleman, now Surgeon of H. M's. 13th Hussars, one of the most distinguished medical veterans of the army. Dr. Mouat then remarked that he had little more satisfactory to say of the pathology and treatment of the Disease than when he first saw it soon after his arrival in India, in 1817. Thirty years have now elapsed, and in 1847, though many gloomy pages have been added to the History of this Scourge, we have the same melancholy confession to repeat regarding its treatment. Numberless specifics have started and died away, and, about two years ago, it was confidently proposed that Croton Oil in large doses with Hill Opium was so far worthy of confidence that a practitioner failing to employ it, and losing a patient, might tax himself with homicide.

The epidemic of 1845 at Subathu, Kussowli, Umballa, Ferozepore Lúdiana and Meerut, all stations for European troops, shewed the fallacy of the claims of Croton oil to any thing more, than an average place with other medicines. Dr. Dempster and Dr. Steel, two of our most skilful practitioners in the North West, gave the most careful trial

to it in the way laid down by Dr. MacGregor, and so did many others —while the statistics of mortality in the 1st Bengal Fusiliers shew that Dr. MacGregor's own practice with it, was not more successful than that of others, with other drugs. At Meerut the sporadic cases of Cholera are remarkably tractable, and so they used to be at Kurnaul—and when the epidemic reached Meerut, in 1845, it raged less virulently than at other places. It is worthy of note too, that natives are more easily cured than Europeans, and thus there is much encouragement both for the faculty and the laity, to hasten to the aid of poor natives.

Indeed the energy and promptitude and tact with which any given remedy is plied, have as much to do with successful practice as the choice of the remedy in the first instance. When a case appears, every adjunct at hand should be laid under contribution, with a view, as Mr. Hasting's explains, to rouse the nerves of organic life without delay, and before they refuse to respond. After a while the stomach becomes as insensible as a "Mussuk" or a dried bladder. That practitioner will be the most successful, who is most the man of resources.

It is little to one's credit to plead, if I had had this or that the result would have been different. The man of resources will create means and appliances, if he does not find them, and in one sense will fulfil the proverbial impossibility of making silk purses out of sow's ears.—No head of a family should be without a packet of Cholera Medicines, or neglect to make himself acquainted with the way to administer them, and he should administer them then and there, avoiding to send the patient any distance, or sending any distance for a more eligible material. The following is a summary of what is believed by Dr. Copland, Professor of Medicine in the University College, London, to be the present sense of the profession, regarding Cholera. The passage occurs in a recent number of his Dictionary of medicine, and as it is endorsed by the leading Medical Journals in Great Britain, deserves transcribing in this place for the information of India.

"I conclude this part of the inquiry by stating the inferences which may
' be drawn from an extensive view of what is known of this pestilence,
' as it has appeared in Asia and in Europe, and from intimate observa-
' tion of its phenomena, as they lead to various considerations calcu-
' lated to arrest its progress, and to remedy it when an attack has
' not proceeded too far in the destructive processes, in which it has been
' shewn to terminate. A. The pestilential cholera seems to have
' been propagated by an animal miasm or effluvium of a peculiar kind,
' emanating from the bodies of the affected; and this effluvium being
' inhaled with the air into the lungs paralyses their organs, and acts
' as a poison on the class of nerves which supplies the respiratory, the
' assimilating, the circulating and secreting viscera, vitiating also
' the whole mass of blood, and thereby occasioning a specific disease,
' which, in its turn gives rise to an effluvium similar to that, in which
' itself originated; which also in like manner perpetuates its kind
' under the favourable circumstances of predisposition, aerial vicissi-
' tudes, &c.,—and thus a specific form of disease is propagated far

'and wide, as long as predisposing, concurrent, and determining 'causes favour its propagation. B. The morbid impression of this 'effluvium is poison upon the nerves of organic life, and probably 'the effects of its introduction into the current of the circulation, 'are of a sedative kind, rapidly destroying the vital energy of the 'former, and vitiating the latter, and thereby giving rise to the charac-'teristic phenomena of the malady. C. The impression of the 'effluvium on the organic class of nerves, and the vitiated state of 'the blood may be viewed as the proximate cause, not only of the 'disturbance evinced by the respiratory, the secreting, the assimilating 'and the circulating functions, but also of the morbid actions of the 'stomach and bowels, and the copious serous discharges from their organs 'as well as of the muscular spasms, the sinking of all the vital and ani-'mal powers, of the shrunk and collapsed state of the surface of the 'body, of the black thick state of the blood and of the rapid depression 'of the animal temperature. D. The state of the perspiration and skin 'and the discharge of the serous portion of the blood by the stomach 'and bowels imparting the peculiar appearance of the evacuations, pro-'ceed from the alteration primarily produced in the vitality of the frame, 'and in the condition of the blood, and it is chiefly through the medium 'of the cutaneous surface of the liver, of the kidneys, and of the mucous 'membranes, assisted, perhaps, also by the other secreting viscera, that 'the morbid change of the blood is remedied, and impurities removed 'from it. E. The advanced Stages, of the consecutive or febrile symp-'toms of the disease, whether those, chiefly depending upon the state of 'the nervous functions, or of the circulation within the brain, or proceed-'ing from the condition of the abdominal viscera, arise partly from the 'shock received by, and the depression of the vital energy of the frame 'in the early stage, and partly, if not chiefly, from the alterations which 'had taken place in the blood, during the early stages of the malady. 'F. The effluvium or siminium which propagates the distemper, is 'generated by the progress of the changes produced in the blood, and 'is emanated or discharged from the mucous surfaces of the lungs, 'and digestive canal, and from the cutaneous surface, along with 'their respective exhalations and secretions; and this siminium by 'contaminating the surrounding air, or woollen clothes and animal 'products, capable of attracting and retaining for a while animal 'effluvium, affects those of the healthy, who are predisposed, either 'constitutionally or by antecedent, concomitant, or determining 'influences, or on whom this efficient agent acts in an intense or con-'centrated form, or is aided by accessory or concurrent causes."

W. Hastings, in his little brochure on the subject, after indicating the general character of cholera, and directing attention to the Anatomy and Physiology of the sympathetic nervous system, proceeds with his deductions regarding the *primary seat* of the disease. His observations on this head may here be quoted as a favourable specimen of his mode of treating the general subject:—

"The most striking feature of cholera, is its remarkably fatal rapidity. On seeing this, one cannot help putting the question,—To what is it owing?

Is the overwhelming prostration a part and parcel of the disease, in fact a symptom ; or is it only the effect of other symptoms ? *e. g.* the sickness and purging ? Again, one may ask, would sickness and vomiting, however violent, arising from mere functional derangement of the mucous surfaces of the stomach and intestines, bring on this sudden and deadly collapse ? Moreover in many cases, the vomiting and purging are comparatively slight; while in the same instances, the prostration is as great, or even greater. Again how is it, that there is such a sudden and complete change in the secretion of the entire intestinal canal ? Supposing, the function *originally* disordered, would it be likely to be suceeeded by such rapidly fatal annihilation ? I think not. To what then can it be attributed ? To a morbid impression upon the very source, upon which the integrity and maintenance of every vegetative function, and life itself, depends, viz., to a *withdrawal* (if I may use the expression) *of the healthy amount of stimulus usually afforded by the sympathetic nervous system.*

The liver, the stomach, the intestines, the kidneys, the bladder, are all largely supplied from this system of nerves, and we find them all, in this disease, in a state of partial death, and necessarily almost insensible to impressions from remedies however powerful. The heart too, which is also indebted to this system, becomes languid and feeble ; succeeded by a torpid circulation, a cold skin, and still colder extremities. At length, the nervous system and the arterial reciprocally act upon each other; the insensibility of the former being increased by the feebleness of the latter, and vice versa. The lungs scarcely perform their office, either as organs of respiration or for purification of the blood, greatly to the detriment of the brain and entire nervous system, and the body generally.

I am not aware that any experiments could be performed to bear out the truth of my notion of the pathology of cholera. One can, I think, only reason on the subject from a knowledge of the anatomy of the nervous system and its physiology, (as far as known) and from the symptoms of the disease. Examination of the bodies of persons who have died of cholera, gives us no assistance in our search for the primary cause; it shews us clearly enough the ravages committed ; the effects produced by the disease; but we are as ignorant as ever, as to why the change from health to disease should be so sudden and so fatal.

The explanation I believe to be this. We have seen that every organ, the healthy and regular performance of whose function is necessary for the maintenance of life, is either altogether or largely indebted to the sympathetic nervous system for its nerves ; and that this system, though in some respects distinct, is only partially independent of the brain and spinal cord, and that the latter are the main source whence the power of the former, (of the organic nerves,) is gradually renovated. We have seen that the nerve is charged, as it were with nervous power by the brain and spinal cord, and that, when once charged, it continues to emit this influence, in a manner peculiar to itself. This nervous system then, being predisposed, becomes suddenly morbidly impressed and excited; not absolutely and organically changed ; but unable either *to receive or to transmit the nervous power*, I have above alluded to : the consequence of which is, (as might be expected) a sudden and almost complete destruction of the entire organization of the body. The above I believe to be the *primary seat of the disease*, though of course a rapid increase to the disorder is brought about by the effect on the entire nervous and arterial systems, the reciprocal action of which serves but to complete the revolution already set up in the entire system.

If this explanation be admitted, the rapidity and suddeness of the disease

the instantaneous and complete derangement of the chylopoetic functions is not to be wondered at; but if it be not admitted, I certainly cannot accord with an opinion, that the cause in the first instance can be merely a functional disturbance of other organs secondarily impressing, in so complete and active a manner, the source whence all the vegetative functions are maintained.

Although I apprehend that the primary morbid action is impressed upon the sympathetic nervous system, I must again remind the reader, that, secondarily, reciprocal action, more particularly that between the nervous and arterial systems, quickly ensues, and maintains and increases the disease. The vivifying influence of the blood is partially lost. It is only while in its arterial state, that the blood is capable of maintaining life. Venous blood interrupts the functions of the brain and nervous system. In cholera, how languid is the circulation, how in complete respiration, and necessarily, how venous the character of the blood. The functions of the body too, being suspended or perverted, the separation from the blood of certain matters which are afterwards eliminated from the animal economy, and which has a great share in preserving the normal composition of the circulating fluid, is at least very incomplete, if not altogether checked."

An Atlas of Anatomical Plates of the human Body, accompanied with descriptions in Hindustani, by Fred. J. Mouat, M. D., Fellow of the Royal College of Surgeons in England,—Assistant Surgeon Bengal Army, Member of, and Secretary to the Council of Education of Bengal, Professor of Materia Medica and Medical Jurisprudence in the Bengal Medical College, &c. &c. &c. Assisted by Múnshi Nussíradín Ahmud, late of the Calcutta Madrissa. The drawings in stone, by C. Grant, Esq. Calcutta Bishop's College Press, 1846. *Part II.*

The Review of a work like this, where the Reviewer is compelled to express the highest admiration and bestow unqualified praise, is not perhaps so easy to him, and shall we say so, not so pleasant to the reader, as when some blemishes and rugged features present their salient angles for criticism and comment.

But whether this be so, or not, the purchasers and users of the book, will not complain of the rare degree of perfection and beauty attained in this Atlas of Anatomical Plates. As our readers know, every publication of Indian birth or extraction, may claim the attention of the Calcutta Review; provided authors and publishers shew us the ordinary courtesy of forwarding their works for timely notice. The professional details of a work like this do not however come strictly within our scope; and though we shall touch, we will not dwell on them. Such a book was greatly needed by the rising generation of educated native practitioners, and not less for the reference of the Medical Officers of the Services, whose volumes, endeared to them by College use and enriched by their own notes and memoranda, have long since been sold at auction, to some retired corporal for eight annas or haply a rupee,

when they themselves have been preparing to transport all their worldly effects on the back of a camel,—lucky if they can get two—or otherwise delivered over to the silent perusal of white ants in a godown, or submitted to the astonished gaze of the alligators and fishes at the bottom of the Ganges, or the scarcely more intelligent or less astonished review of the Belúchis and Búgtis. A few, happy and adventurous, survive all these contingencies, and seamed and scared and defaced and mutilated, veteran-like return, after costing four times their original price in transport, to a comparatively fixed abode. Such are our own, which now lie open before us for comparison with this new, and, to use the word in its military sense, smart production. If it were not for the respect for "standing" which an old Indian is bound to feel, and some gratitude for old services and old acquaintanceship, we should be inclined to supersede our old volumes for most practical purposes, and adopt the new and beautiful Atlas of Dr. Mouat. At due paces and discreetly measured intervals, the Medical College of Bengal is fulfilling the designs of its noble and enlightened founders and patrons; and perhaps more than fulfilling their hopes. Happy in particular will Lord Auckland be to see this work. It was urgently needed, has been cleverly planned and admirably executed; and we are satisfied not only confers a boon on the profession, but will tend to the interests of all the parties concerned in its production, Dr. Mouat, the Múnshi Nussíradin, and the talented artist, Mr. C. Grant; modern Native Medical literature is only just commencing and we expect to see a great deal more yet. We cannot but allude here to the translation of the Pharmacopeia into Hindí by Mr. Spilsbury, now Superintending Surgeon of the Saugor Division. This gentleman was at work when the rest of the profession were asleep. Many native youths owe much to his personal instructions. Had his lot been cast in this city, though we will not say he would have been more useful, he would certainly have been better known.

This Atlas, Dr. Mouat informs us, was undertaken for the Military Class of the Medical College.

The plan of the Author has been to avail himself of the best of the writings of eminent anatomists, and by collecting and comparing and condensing to produce what was adapted to his purpose, rather than by a total re-writing to aim at a new and entire, and perchance, inferior originality. The same course we hear has been pursued and is pursuing, with regard to treatises and manuals on other professional subjects. Nor is the credit one bit the less; we thank the bee for our honey, though perfectly well aware whence she draws it. In the honey-suckle it was of no use to us, as *she* presents it, it is of the greatest use; none will be better pleased with Dr. Mouat's work than the liberal authors to whom he handsomely expresses his obligations.

The work is to consist of, about fifty plates of subjects selected for their importance. The size of the paper is seventeen inches by ten and a half, the most convenient possible for use and transport. Eighteen plates are already published, including osteology and the vascular system. Cheselden has been followed in the former—Tiedman, Quain, and

Erasmus Wilson in the latter. The descriptions are printed both in English and Urdú.

Captain Marshall, the Secretary of the College of Fort William, has officially granted the sanction of his name to the imprimatur of the text of the Urdú. We think few will object that English scientific terms have been transplanted in place of creating new and circumlocutory oriental ones intelligible to nobody. Where a good Urdú word existed, it has been used together with the English word. It is impossible to make use of the Arabic terms with any profit. They are long and learned Arabic medical terms enough; but they cannot convey the sense of the English words which signify things and states, unknown to the Arabian and Persian writers. Were even the Arabians terms expressive, Arabic is far less generally known now-a-days than English is, all over Hindústan.

The plates themselves and the English and Urdú descriptions are all equally entitled to the epithets, clear and unmistakable, and contradistinctive to some not very old editions of British publications, where the plates need sign posts to warn us that they are not shins of beef and fillets of veal, provided for our dinner rather than studies prepared for a lecture. Here we have no numbers to point out, this the head and that the leg, and such and such is an artery. A dissected body in the anatomical rooms, stuck with cleft sticks and inserted labels (as with plants in a garden) for the convenience of lazy anatomists would be as hideous, as absurd, and mischievous; and we are glad Dr. Mouat has repudiated the numbering and docketing system. Imagine a portrait in the Town Hall so treated, "This is Lord Metcalfe—No. 10 represents his nose and No. 27 is his shoe."

Dr. Mouat's Atlas is designed for the use of the already instructed of the profession—not intended to teach a spurious and artificial anatomy. It will, to the educated, afford just that sort of aid which a view of the fresh dissected part would afford, and if it does this, it is enough for an Anatomical plate. And the way to use it, is, to open the Dublin Dissector or Quain's Anatomy—(Dr. Mouat's when the manual or premised translation appears) and read the chapter on the part referred to. Plate xviii. of the veins of the arm, the region of the Phlebotomist, is thus described:—

"The blood of the upper extremities is returned to the heart by the 'deep and superficial veins. The deep veins accompany the arteries 'of the same name, each of which is generally attended by two veins 'proceeding at its sides."

"The cutaneous or superficial, are much larger than the deep veins, 'and lie between the skin and superficial fascia. Their roots on the 'digital veins arise principally from the back of the fingers, where 'there are usually from six to eight branches, situated alongside of 'each other and freely anastomosing together. These branches also 'receive the largest veins proceeding from the palmar surface of the 'fingers, which at the second or first phalanx pass round to the dorsal 'side. They all unite in two principal trunks, the radial and ulnar 'veins."

"The radial cutaneous or Brachio cephalic vein, arises from the 'thumb and index finger, is called the cephalic vein of the thumb, and 'proceeds on the back of the hand in the first metacarpal space. It 'runs at first, along the radial edge of the fore arm, then along the 'anterior side or the arm, outside the biceps flexor muscle, passes 'between the pectoralis major and deltoid, and empties itself into the 'subclavian vein beneath the clavicle."

"The Basilic or Ulnar Cutaneous vein, arises from the back of the 'third finger, also often from the space between the back of the index 'and little fingers, and forms on the back of the hand a considerable 'net work of veins which anastomose in front with the cephalic of the 'thumb. Sometimes when it reaches the back of the wrist, it goes 'forward towards the radius and anastomoses with the brachio cephalic. 'It almost always in the fore arm, forms the anterior and posterior 'ulnar cutaneous veins, of which the latter is generally larger than 'the former. After passing the elbow joint it ascends under the 'brachial aponeurosis in the inner side of the arm, along the ulnar 'nerve over which it lies, and empties itself into the lower end of 'the axillary vein."

"The median vein is a large branch which unites the radial and 'ulnar veins as well as the superficial and deep veins of the arm. 'It is usually single, but sometimes double, and varies in length, 'extending obliquely upwards and backwards from the ulnar to the 'radial vein. As high as the flexor carpi ulnaris muscle. It gene-'rally sends one or more large branches to anastomose with the anterior 'part of the deep brachial vein or of the deep radial or ulnar vein. 'The lower part of the vein is called the median cephalic, and the 'upper part, the median basilic. Sometimes the median vein ascends 'on the anterior face of the fore arm, between the cephalic, and the 'basilic, with which it anastomoses freely; it is then termed the 'common median vein."

"The veins at the bend of the arm are those usually preferred for 'performing the operation of venesection. The median basilic is 'generally selected as being the largest and most conspicuous, but 'it should be remembered that an artery runs immediately beneath 'it, separated only by the tendinous expansion given off from the 'tendon of the biceps muscle."

"It is therefore liable, especially in those persons, to be punctured."

We wish we could convey the idea of the clearness of the artistical effect of the plate of which the above is a description. A glance at it suffices to refresh one's memory fully, and would greatly assist one, who in the absence of regular surgical aid, might on an emergency be called on for the sake of humanity to "breathe a vein."

Plates viii. and ix. are themselves compendia of the anatomy of the vascular system. The latter shews the mode in which the heart is connected with its principal channels, the aorta sending forth the new blood after oxygenation in the lungs, and the vena cava returning it effete for purification. The apex of the heart pointing not downwards into the centre of the body as the vulgar suppose, on seeing the organ

separated from its connexions, but to the left side at almost a right angle from the spine towards the sixth rib. The thoracic duct lying between the aorta and vena cava, and passing behind the æsophogus here represented as truncated, is very judiciously coloured yellow. The thoracic duct, as our professional readers know well, and as our unprofessional readers may be told, conveys the collected chyle and lymph, the juices eliminated by digestion out of our food, from the intestines to the angle formed by the union of the subelavian and internal jugular veins, where they mingle with the blood. Dr. Mouat has avoided the unnecessary multiplication of plates; what one plate could comprise has been included, and it has been the artist's care to avoid confusion and indistinctness. When a part has no surgical or practical use a plate is not given. As for instance none of the superficial veins of the back of the arm.

The plates in Osteology are so entirely copies from Cheselden, that it is only necessary to say, they have not been injured by the reduction in size and the transmutation to an Indian dress.

In plate vii. the arch of the foot is a picture, worthy the eye of our young engineer officers. So consummate is the mechanism of our Osteological structure, that when we refer to it, we can scarcely refrain from dilating on it.

Before we conclude we must be permitted to point out to the profession, the new duties which will devolve on them in consequence of the appearance of the Atlas, and the promised treatises and manuals on the different subjects, such as Chemistry and Botany, which will no doubt soon appear. Medical Officers will now be wholly inexcusable, if they do not refresh their own memories and the memories of their subordinate medical establishments, European, East Indian, and Native, with occasional lectures and demonstrations. How, say, could an evening hour in the week be better spent than in the assemblage and instruction of the lads, and in the recapitulation to the elders of those interesting facts in anatomy and physiology, which on their first announcement to ourselves caused a thrill of enthusiastic admiration and adoration, even in the bosoms of the coldest of us. Conveying, as these facts do, touching proofs of design and the merciful adaptation of structure to function and of both to external nature, we may say of a thousand things in anatomy and physiology, what a poet says on another subject:—

> "As for some dear familiar strain
> Untired we ask and ask again,
> Ever in its melodious store
> Finding a spell unheard before."

Each repetition would beget a charm for a succeeding repetition, and suggest continually, those new and vivid illustrations of old truths, which interest and instruct and expand the mind more than lesser new ones. The emotions of mental pleasure reach their summit in these contemplations. If anatomy prove a dry, barren unsavoury study, the dryness and barrenness are in the brain of the student. That is not Anatomy's fault. An unenthusiastic anatomist has scarcely

ever been known. The preface of the work before us aptly quotes the late Dr. John Tytler, in illustration of the moral effect of the study in Hindustan, in leading to the breaking down of the prejudices of caste, but as the passage was quoted in our notice of Part I. of the Atlas, we will here allude only to what is said of every artificial distinction disappearing before the knife of the anatomist. On the dissecting table the equality of human nature is even more emphatically proclaimed than in the grave. Let the Brahmans think as they will, the anatomist sees with his eyes that that which the Scripture simply announces, is true—That God hath made of one blood all nations of men.

While we said, that the Atlas was for the more part a professional work, it is still capable of extensive use by the educated who are not of the faculty. Some acquaintance with anatomy is essential now a days to a liberal education. Many points of interest would be elucidated in general or miscellaneous reading, with the aid of the Atlas, which must otherwise be obscure to one whose early departure from Europe and early engagement in active life, may have prevented from turning his attention to the structure of his own frame. And in this respect we recommend Dr. Mouat's Atlas of Anatomy to be allowed a place in every General, or Station, or Regimental library, as well as in every Hospital—where we believe the liberality of Government will place it—and on the table of every Surgeon.

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1. *Investigation of Mortality in the Indian Army, by W. S. B. Woolhouse. F. R. A. S. &c. London* 1839.
2. *Tables of the Universal Life Assurance Society.*
3. *Ditto of the Family Endowment ditto.*

It would not be easy to point out a better illustration of Lord Bacon's doctrine respecting the *idola fori*, or the prejudices that have their origin in the imperfections of human language, than is to be found in the dislike that many people, and sensible people too, entertain towards *Life Assurance.* We have found this aversion existing in many quarters where we should not have expected to find it; and on investigation we have frequently found that the opponents reprobated the whole system on the sole ground of the *name*, without having ever taken the trouble to inquire into the significancy of the terms, with reference to the special application by which their usual meaning is necessarily modified and restricted. An Insurance of Life! Who does not know that this is beyond the power of man? Who knows not that we are here to-day and away to-morrow, that our days are swifter than a weaver's shuttle, and that no one of us can tell what a day or an hour may bring forth?—We trust our readers would deem it insulting to them were we to set ourselves to the task of proving, for their information or conviction, that such reasoning is altogether and exclusively directed against the *name*, (which perhaps, after all, has not been

very felicitously chosen,) but is altogether from the purpose when intended to militate against the *thing*. Yet as there are unquestionably many very intelligent persons who have never given much thought to the subject, which we regard as a very important one, some remarks on the subject of Life Assurance in general may not be out of place as preliminary to our remarks on the duration of Indian Life and on Indian Life Assurance.

The constitution which we have received from our Creator, of necessity forces upon us the consideration that it is His will and intention that we should be dependent on mutual aid and mutual sympathy. From the day when we first inhale the vital air, to that on which we return to our kindred dust, we are constrained, during each one of our waking hours, to feel that we are not sufficient for ourselves; that we cannot supply our own wants, or procure our indispensable comforts; but that we are dependent for the power of sustaining existence, and of rendering that existence in any degree pleasurable, upon the exertions of a countless multitude of others. This is a mere fact, which scarcely requires to be stated, not a theory that requires to be proved by reasoning or lengthened argumentation. Now this fact clearly leads us to the conclusion, that as members of a social community, every one of whose members is dependent upon the exertions of every other, we have duties to discharge towards all those who have duties to discharge towards us; and that each one lives, "*non sibi solum, sed patriæ et omnibus.*" In full accordance with this great law of our constitution, which is the law of nature, or of the Author of nature, and with these social arrangements which may be regarded as the law of providence, is the teaching of that great statute book which has been given us by special revelation from the God of nature and of providence. Independently of the infinitely important truths which the Bible teaches us *de novo*, it confirms and renders still more imperative, by high and holy sanctions, all those duties which derive their origin primarily from the constitution and the position assigned to us by our Creator; and amongst others this of performing our part as members of a great social community, deriving from our brethren the means of supplying our own wants, and contributing our share towards the supply of theirs.

But while nature and revelation concur in pointing out to us our duty in this matter, they both leave much latitude in regard to the details of the methods by which the duty may be best discharged. We can conceive a state of things in which men might bind themselves by a compact to supply all the wants of each other as they should arise. If the miller and the baker, the fisherman and the butcher, the grocer and the sailor, the tailor and the shoemaker, the carpenter, the blacksmith and the bricklayer, the physician and the surgeon, the teacher and the preacher, the author and the reviewer, the soldier, the lawyer, and the king,—if these and a hundred other craftsmen should enter into an engagement whereby each should be bound to provide with a due supply of the produce of his own craft, all the other members of the fraternity, the arrangement might perhaps

work well enough for a little while. Perhaps, if men were all just what they ought to be, such a compact might be sufficient to enable the compacted parties to support life in tolerable comfort; but as things are, it were superfluous to point out that such an arrangement could not be permanent. The tailor would convince himself that, while he was bound to supply clothes to the community, his engagement would be fulfilled to the letter if he gave suits of the most simple construction, while his customers would claim a coat of a handsome *cut;* the butcher would persuade himself (deluded man!) that he could more easily dispense with the Review, than the reviewer could dispense with beef and mutton; and the literateur would think that his articles were too *spirituel* to be bartered for drugget dressing-gowns and brown bread. Now it is with the view of counteracting these disadvantages that all civilized communities have adopted the expedient of *money*, as the representative of value of exchange, which forms a sort of reserve, very much in the same way in which the fly-wheel reserves the power in a piece of machinery, giving it out in such measure and at such times as it is wanted. Political economists cannot, we think, give any clearer explanation of the origin or uses of this expedient.

Now in every well regulated community labor is compensated by a conventional equivalent in money, which, valueless in itself, is universally throughout the community recognized as a proper compensation for labor, and so enables each laborer to value his own labor by fair comparison with those of others.

If men were at all times able to labor, and to procure the materials of labor, and the disposal at a fair rate of the produce of their industry, the system would be as nearly perfect as it is possible for any system in this imperfect world to be. But then there are cases of not unfrequent occurrence, in which the failure of one or other of these conditions reduces a portion of the community to great distress. If a man is unable to labor, or if the earth fail for a season to yield a portion of her fruits, which are the grand material on which labor is expended, or if for any cause there is not a demand equal to the supply of any manufacture, a greater or less degree of want must be the consequence. The second of these causes is, by the good providence of God, of rare occurrence, and, when it does occur, but of short continuance; and the inconvenience resulting from the third is greatly lessened by a law which pervades the social economy, and whose origin we must trace to the Divine institutor of that economy, that all expedients by which labor in one direction is rendered more productive, and so the supply rendered for a time greater than the demand, lead in time to the necessity for a greater amount of labor in other directions. The distress arising from these occurrences being beyond the powers of calculation, and being necessarily of a temporary character, may be fairly left to be relieved by the spontaneous efforts of humane and Christian charity.* But the other cause, arising from inability to

* While we write, we have just before our eyes an instance, which we may be excused for putting on record, of the manner in which this charity works for the relief of human destitution wheresoever it occurs. When the tidings reached Calcutta of

labor, being more frequently permanent in its duration, and being in some degree an object of calculation, at once admits and demands a remedy of another kind. One-half of every community are from their sex unfitted for many kinds of work, and both sexes are during their childhood unfit for all labor. Now here the domestic constitution supplies the defect of the social; and women and children are generally provided for by those who are so constituted as to feel it at once a duty and a pleasure to share with them their own earnings.

Suppose then a family consisting of a father, a mother and children. The father has employment secured to him as long as he lives, and a moderate salary sufficient for the maintenance of those who are dependent on him. If it were a matter of certainty that he should either survive his wife and children, or live till such time as his sons should be settled in business, and enabled to support their mother and such of their sisters as might be unmarried, the family would have nothing to do but to make the monthly or yearly expenses not exceed the monthly or yearly income. But this is not the case. When a man has young children, he does not know whether he shall live to see them settled in life, or whether he shall soon be called to leave them without a "bread-winner." If he were certain even that he should live a certain number of years, he might manage, by curtailing his expenses, to lay up a provision against the day of his death for those whom that death would leave helpless. But even this he does not know. He may live twenty years, or he may die before the setting of to-morrow's sun. Here then is the difficulty. It is quite possible that he may live long enough to save a sum sufficient to provide for the education and establishment in life of those whom he may leave behind him; but it is just as possible that he may be removed before his savings amount to any thing like the sum necessary for such an end. While he is engaged in cogitations upon this somewhat painful subject, he meets with a neighbour who is very similarly situated with himself in respect of age, income, and family. They are not mathematicians; but they know very well that the one will probably survive the other, although of course it is hidden from them which of the two shall be the survivor. They therefore enter into a compact, that they shall each contribute to a common fund a certain yearly or monthly sum, and that on the decease of one of them, a proper share of the accumulated fund shall be given to those who are left destitute by his death, and the remainder retained for the family of the survivor. Another and another subscriber is admitted from time to time, and a regular assurance office is established.

Now it is here that science comes to the aid of philanthropy. The object of life assurance is to obviate the evils attending upon the uncer-

the lamentable destitution in the Highlands and Islands of Scotland through an extensive failure of the crops, a meeting of the inhabitants was forthwith called, and a subscription raised, a first instalment of which, raised in a day or two for the purpose of being transmitted by the first mail, amounted, to not less than £3,000 sterling.

tainty of life. Now it is ascertained that while this uncertainty is all in all in respect of individual life, there is a very great approximation to certainty in regard to the duration of collective life. This subject is now so generally understood that we know not whether we will be justified in offering an explanation. Yet, as there are still some who seem to have but vague ideas regarding it, a few sentences may not be thrown away. The truth then is simply this, that while regarding any man of a given age, it is impossible to say whether he will live one year or two, or ten or twenty, or any specific number of years, yet regarding a thousand men of that age we may say with almost complete certainty that a certain number will die in each succeeding year until the whole number be extinct. It surprised many how nearly the first rude attempts at discovery of this law of mortality agreed with each other; and now that statistics have been advanced almost to the rank of a science, and mathematical computation has been applied to the facts furnished by statistical returns, we have the means, in countries where regular returns of the population are procured, of attaining an indefinitely close approximation to accuracy.

In regard to the detail of the method by which provision is made for survivors there is considerable variety, some funds being established with a view to affording annuities or pensions to certain persons named, in the event of these surviving the person on whose life the assurance is effected, and others granting merely a fixed sum on the death of the person assured, to his heirs or assigns, be they who they may. In some cases the prudent man may prefer the one method of making provision for those whom he may leave behind him, and in some cases the other. A man for example who has a wife who may become a widow, but either no children to become orphans, or none who in the course of nature are likely to be left in a state of non-age, will probably find it most advantageous to secure a pension to his widow; because in the purchase of this he has the advantage of the chance of her predeceasing him, and consequently he pays much less for a contingent benefit, (which is however the only benefit that he needs care for) than he would pay for a certain benefit, for which however, excepting only so far as the other contingency is covered by it, he has no particular need. If on the other hand, the circumstances of a man's family be such as that he is likely to leave children behind, it will probably in general be more advantageous to secure the payment to them on his death of a certain sum, which may be expended on the completion of their education, or their establishment in business.

Of the assurance offices again, or those which bind themselves to pay a certain sum in the event of the death of the assured, there are two great divisions—one class being joint-stock proprietory bodies, the shareholders of which are responsible for the amount assured, and dividing amongst them the whole amount of profit that may accrue; while the other class consists of mutual assurers, who share the profits among themselves, either by annual or triennial, or quinquennial dividends, or by diminution of the annual premium, or by increase of the

assured sum. Many of the Societies combine these two methods, giving the assured the choice of a larger premium with profits, or a smaller premium without profits. We believe the former method, or insurance with a share of the profits has become the more favorite method; but we confess we are not prepared to recommend it in preference to the old method. In the first place, it is the grand end and design of assurance to substitute certainty for chance; and this method of sharing the profits does not so effectually secure this end, but rather substitutes one uncertainty for another. And then it is evident also that the perfection of Life Assurance would be, to have no profits such as those that by the mutual assurance Societies are shared among the assured. In the present state of our knowledge regarding life contingencies, it would be altogether unsafe to establish such rates as would be just calculated to afford no profits, because we cannot yet tell with perfect accuracy the amount of risk; and the fixing of the rates too low even by a fraction would be fatal to the whole concern. As however our knowledge of risks increases, and it is perpetually increasing, it will become more and more safe to fix the rates, so as that the expense of management may be defrayed, and a fair return allowed to those who undertake the risk. Perhaps, however, in the present state of our knowledge, when it would be utter folly to support a Society, which should profess to have rates so low as to preclude the likelihood of profits, the better course for the person effecting an assurance may be, to stipulate for a participation of profits.*

Many very curious results have been educed by the inquiries that have been instituted into the subject of the average duration of human life; on some of which, if we had time and space, and other things in fair "concatenation accordingly," we should be very willing to bestow a portion of our tediousness. But this may not at present be; and in what remains of our "notice" we must constrain ourselves to abide by a very few remarks on the duration of Indian life, and on the assurance companies that extend their good offices to India.

There are very few subjects that occupy more of the thoughts of our good "friends at home," than the climate in which we live; and the time has not yet come when we shall be able to give them facts and figures by which they may form an accurate estimate of the

* One point we never find stated so clearly as we think it ought to be in the schemes and tables of those offices that unite the two methods. We refer to the point, *what profits they are that are shared?* whether the profits arising from both branches or from the mutual asssurance branch alone. It does not seem to us that those assuring, with a right to participate in the profits, have any title to more than the latter benefit, and we do not suppose that they receive it; but we remember in the proposals of various societies what appeared to us a studied ambiguity. They constantly contain long details as to the method of striking the balance and ascertaining the profits, which from the very nature of the case it is altogether impossible for any but a skilful accountant to understand: whereas they often do not contain any statement of what it is essential that all should know. It is impossible to impute this to any intention to deceive or keep in the dark. Independently of the high character of hundreds of those who are at the heads of the various offices, the vast amount of competition precludes the possibility of this.

actual risks that we encounter, when we become denizens of "Bengala's plains." Various attempts have been made to estimate what is technically called the *value* of European life in India; but the available data are not, in our estimation, sufficient to warrant general conclusions. The late Mr. James Prinsep drew up tables from the Civil Service list, valuable so far as they go; in the Asiatic Researches, there is a learned and important paper by Major Henderson; and Mr. Woolhouse, the Actuary of one of the London Assurance offices, has analysed Dodswell and Miles's Army list. We believe we cannot treat the subject better, having regard the while to our limited space, than by stating in a tabular form, the results of the last-named gentleman's inquiry, and then making some remarks upon the nature of his data, which will be equally applicable to those of Mr. Prinsep and Major Henderson. The reason of our singling out Mr. Woolhouse's pamphlet for the basis of our observations will appear in the sequel.

For the sake of those who have not hitherto given attention to the subject, we may mention that "tables of mortality," are constructed on the supposition of a certain number of persons, generally 100,000 having been born at the same time, and calculating how many, according to the ascertained rate of mortality, should be alive at the close of each succeeding year of life. Now we have before us many such tables calculated according to the rates ascertained by various experiences in England. The most important of these experiences are the Northampton table, the Carlisle table, and what we shall call the adjusted experience table, being one formed by the actuaries of the principal assurance offices in London from the experience of the duration of lives assured in their various offices. Now these are not in a fit state to be compared immediately with Mr. Woolhouse's tables; but we have taken the trouble to reduce them by a calculation, with the details of which it were needless to trouble the reader, to uniformity, so that a glance will shew out of 100,000 who have completed their 18th year, how many may be expected to survive each successive fourth year thereafter. It will be sufficient to range in parallel columns the results of this adjusted experience table, and of the Bengal Army list, merely stating that the English table exhibits about a medium rate of mortality in England, while the Bengal Army list shews a much more favorable return than those of Madras or Bombay.

Age.	*Adjusted Eng.*	*Bengal Army.*
18	1,00,000	1,00,000
20	98,571	94,722
24	95,676	84,994
28	92,714	76,630
32	89,654	67,622
36	86,465	59,691
40	83,125	52,225
44	79,598	45,195
48	75,672	38,621

Age.	*Adjusted Eng.*	*Bengal Army.*
52	71,076	32,519
56	65,624	26,831
60	59,155	21,507
64	51,515	16,562
68	42,669	12,049
72	32,930	8,092
80	23,036	5,038
78	14,045	3,000
84	7,065	1,259
88	2,681	0
92	602	0
96	39	0
100	0	0

It will be observed that this table shews a very great difference of the value of life in England and India. It will perhaps shew the contrast still more strikingly if we deduce from these results a table of the comparative "expectancies of life." Such a table we have calculated from Mr. Woolhouse's returns, and now put the results for every fourth year along-side of the corresponding results as deduced from the adjusted English table. In forming the average for the whole Indian army, we have merely taken the arithmetical mean of the Bengal result on the one side, and the combined Madras and Bombay result on the other. This method gives all but perfect accuracy, as the number of officers included in the experience of the Madras and Bombay services is very nearly equal to the number in Bengal. The deviation from perfect accuracy on this score is so small that it will probably not affect in any case the second decimal place, certainly never the first.

Age.	*Adjusted Eng.*	*Bengal Army.*	*Mad. and Bom. Army.*	*Average Ind. Army.*
20	41.49	25.23	23.13	24.18
24	38.68	23.90	21.95	22.92
28	35.86	22.48	20.90	21.69
32	33.01	21.03	19.93	20.46
36	30.15	19.56	18.95	19 25
40	27.28	18.08	18.05	18.06
44	24.40	16.58	17.34	16.96
48	21.56	15.07	16.72	15.89
52	18.82	13.83	15.86	14.84
56	16.22	11.97	14.28	13.12
60	13.77	10.45	12 07	11.26
64	11.51	8.98	9.90	9.44
68	9.47	7.61	8.03	7.82
72	7.67	6.38	6.34	6.36
76	6.11	5.11	4.47	4.79
80	4.78	3.31	2.17	2.74

These results are certainly not of a kind to diminish the terror that many experience on the contemplation of an Indian climate. We think however they are too unfavorable, and shall endeavour to state why. The army list does not give the age of the officers. It was

therefore necessary to assume some one age at the time of their receiving their appointments. Mr. Woolhouse accordingly assumes that all the Cadets attained their eighteenth year complete in the middle of the year in which they were appointed. Now we suspect that this average is too low. The average age of cadets now may be 18; but we suspect that formerly it was greater. Now if we be right in this conjecture, it will appear sufficiently evident that even a small fraction added to each individual life included within the experience, would considerably improve the expectancy at any given age. This, then, is the first ground on which we conclude more favorably of Indian longevity than Mr. Woolhouse's tables direct us: the other ground is more important and less conjectural.

The army lists from which Mr. Woolhouse's tables are deduced detail, not life, but service; in all cases then in which the service terminates before the life, the individual is withdrawn from the experience at the period of his withdrawing from the service. Of course Mr. Woolhouse calculates these withdrawals at the period of their occurrence; but still we apprehend that it is impossible to make a fair allowance for them. This does not seem to have occurred to Mr. Woolhouse, or indeed to any who have calculated tables from service lists;—but it does seem to us to be an unavoidable vitiation, incident to all tables so constructed. It does seem to us certain that all such tables must give too unfavorable a view of life. Suppose a number of young officers at 18; a certain number of them die, and a certain number retire, during the earliest years of their service; but during these years the retirements bear a very small proportion to the deaths. Afterwards however the case is altered; and although of course those who retire do not swell the number of the deaths for any given year, yet we cannot doubt that the effect of the whole method is that the data from which the rates are deduced include all those who die young, but exclude a large portion of those who die old. This appears to us unavoidable, as long as rates are computed from service lists; and its effect is evidently to diminish the apparent duration of life, and to perpetuate the exaggerated notions that so generally prevail regarding the insalubrity of our climate.

It may be in our power at some future period to recur to this subject, and to view it in other lights than that in which it now occurs to us. Meantime we have but a few words to say on the subject of life assurance.

It is our firm belief that it is a duty incumbent upon every man who has a family dependent upon him, and whose income ceases with his life, to embrace the opportunity which assurance offices afford him of making a secure provision for them after his death.* Now there are many offices which put in competing claims for his patronage, and offer

* There are other legitimate objects to which life assurance is applied; but we intentionally confine our attention to this view of the case.

him various advantages. In considering their several claims, the first question is as to the *safety* of their several rates. It is an evil that a man should be required to pay 2 or 3 rupees a year too much; but it is an incalculably greater evil to subscribe to a fund whose rates are fixed so low that unavoidable bankruptcy is the result. Such is not an imaginary case; but one that frequently happened in the infancy of the system; and one that the prevailing competition would certainly cause to happen frequently again, were not the rates of every new claimant of support rigidly examined.

Now here again we know not how we can better lay the subject of rates before our readers, than by first presenting them with a comparative tabular statement, and then making a few observations upon it. We have alluded to certain societies which divide a portion of their profits among the assured. The rates charged for the participation of such profits it is clearly impossible to compare, as, the profits being necessarily fluctuating, it is impossible to say what ought to be paid for a share of them. The only proper subjects of comparison therefore are the rates charged by the different offices for the insurance of the same fixed sum to be paid without increase or diminution in the event of the failure of the life on which the assurance is effected. As it is of military life that we have been speaking, we shall also restrict our rates to this.

Premium required to assure 1,000 rupees on a Military life in India.

Age.	*Family Endowment.*	*Universal.*	*Church of England.*	*New Oriental.**
20	35	42	41	45
25	38	46	45	48
30	41	49	49	53
35	45	52	53	58
40	49	57	59	63
45	55	62	66	68
50	61	69	75	76
55	69	80	87	87
60	79	95	100	103

From this table it will be seen that the Family Endowment office charges premiums about 20 per cent lower than any other office, and 30 per cent lower than some. The only question then is whether its rates are safe. Now with the best attention that we are able to give the subject, we cannot doubt that they are perfectly so; and that for the following reasons, viz.

1. They are calculated upon Mr. Woolhouse's tables of mortality for the Indian Army. Those tables, as we have already shewn, give too low an estimate of the value of life; the difference goes of course to the profit of the society.

2. The premiums seem to us to be calculated so that the society will not lose if they can invest their money at 2½ per cent. Now

* The rates of the *Indian Laudable* are the same with those of the *New Oriental.*

for this country this is at least $2\frac{1}{2}$ per cent too little. Now $2\frac{1}{2}$ per cent is amply sufficient to defray the expense of management, and the occasional losses to which every such society is liable.

3. The tables give the rate of mortality ascertained from the duration of all lives; including equally those of healthy and of diseased persons. But this and all other Societies grant assurances only on the lives of those who are certified to be in good health when the policy is granted.

4. We cannot doubt that the value of life in India will greatly improve, by the amelioration of men's habits, the improvement of the country through cultivation, irrigation, &c. and the greater facilities for visiting healthier regions.

We have no personal interest in the Family Endowment or any other Assurance Society; but we deem it our duty to recommend it, as being in our opinion the most advantageous, to the support of the community.

The necessity for Christian Education to elevate the native character in India. An essay to which the Sir Peregrine Maitland prize has been adjudged by the University of Cambridge. By George Nugée, B. A. London, 1846.

This essay is the first fruits of a monumental prize-fund, instituted by the friends of Sir Peregrine Maitland, whose stand for Christian principle at Madras is fresh in the minds of our readers, and we trust, will be had in perpetual remembrance. The interest of a thousand pounds is to be applied to the grant of a prize once in three years to a student in the University of Cambridge for the best "English Essay on some subject connected with the propagation of the gospel, through Missionary exertions, in India and other points of the heathen world." We know no better method of keeping up the memory of a distinguished man, and we trust that much good will result from it, not only by the publication of the essays, but still more by the direction of the attention of so large a body of the ingenuous youth of England to the state and prospects of India in connection with the spread of the gospel among its people.*

The author of the present essay very creditably belies his very unfortunate name; for his production shews a very proper seriousness, and is written in a vigorous chaste style, and is altogether less chargeable

* Such a result did unquestionably accrue from Dr. Claudius Buchanan's Prize Essays and poems. The literary productions that resulted from his munificent gifts are now little set by. But a careful observer of the progress of events cannot fail to estimate highly their influence in stirring up in the minds of many, an intelligent interest in the affairs of India.

with *trifling* than nine out of every ten of our Academical prize-essays. It is short, and comes to the point; and evinces within a small compass an amount of acquaintance with Indian subjects which it is pleasing to see exhibited by one who, we presume, has no special connection with the East. It is to the diffusion of an enlightened acquaintance with India, and India's people, that our own labors uniformly tend; and we hail the appearance of any production which indicates a sincere desire for the improvement of the condition of our native fellow subjects. In proportion to the amount of ignorance that is displayed by some, of whom better things might have been expected, is the satisfaction of seeing the essay of a youth, free, at least, from all glaring absurdities. The only exception that we have noticed in the course of our perusal of the essay before us, is contained in a note, occupying only a single line; in which it is stated that "The institutes (meaning the institutes of Manu) are called Devá Nágari, or work of the Gods." We trust there are not many of our readers who require to be informed that Devá Nágari is not the name of the institutes, but of the alphabetical character in which they, and all other Sanscrit works, are written. This is a slight, and a pardonable, mistake.

The plan and general contents of Mr. Nugée's essay may be very briefly stated. After a general introduction regarding the present state of the people of India, our author proposes two questions, as to the origin of the present debasement of the people, and the means to be adopted for its removal. The former question he answers by a denial that physical or political causes can account for the debasement, and the assertion that it is to be ascribed mainly to the false religion that prevails in the country. This conclusion he confirms by a specific consideration of the combined effects of the doctrines, moral code, and priesthood of Hinduism, on the moral, social, civil, and intellectual condition of India.

This answer to the first question naturally carries along with it the answer to the second; for as is the disease, so must be the remedy. Our author rejects the proposed remedies of the political reformers and the economists, as being inadequate to the production of the desired end, and thus reduces the question to a comparison of the claims of rationalism or secular education on the one hand, and Christianity or religious education on the other. The question thus restricted, he decides in favor of the latter branch of the alternative. In this conclusion we entirely agree. But as we have ere now alluded frequently to this subject, and shall in all probability have frequent occasions to allude to it again in future, we shall not at present enter into any discussion on the question, but shall content ourselves with the extraction of a few passages from the essay before us, which will give our readers the means of forming a judgment as to its author's style and manner. Our first extract shall relate to CHRISTIAN SCHOOLS.

"Ordinary effects are now to follow ordinary means, and truly may it be said that the careful instruction of the rising generations is the true cradle

of the Church.* Youth is the season in which the mind is most accessible to new information. Vice already formed, prejudice already imbibed, are almost beyond even the power of Christian redemption; it is only in the state of latent propensity, that we can reasonably expect to overcome them by the moral motives which we present, and to extinguish this propensity before it is even known to the mind in which it exists; to tame those passions which are never to rage, and to prepare the soil for the virtues of future years. Now, I would ask, how does the government scheme attain these objects? What are the motives which it presents? The ambition of the native student is that of gaining through such schools admission to official appointments, and a rise by gradation from the Zillah to the central Seminary, and from the scholarship to the revenue offices or subordinate judicial department. Such a system of emulation must doubtless work good, both as regards the increase of government agency, the acquisition to the Company of educated officials, and the sympathy of interest created between the governors and the governed. But in the absence of all the vital motives of religion, I see in the system only one of those ordinary steps such as legislative prudence would for its own sake adopt, and one quite independent of the duty upon which the inculcation of Christian knowledge and Christian principles alone rests. The dedication of man's rational powers to the knowledge of truth and morality, is the avowed object of Christian education; it does not merely elevate the intellect, but directs it aright, enlisting the understanding in the defence of rectitude; while it enriches the mind with all that is useful or ornamental in knowledge, it gives due regard to objects of yet greater moment, averting evil which all the sciences together could not compensate, or producing good compared with which all the sciences together are but as nothing-worth; it produces men not only able to understand the measures of government, but morally disposed to appreciate its good intentions, and co-operate in their execution. True religion† is, indeed, the best support of an executive, which being founded on just principles, proposes for its end the joint advancement of virtue and happiness, and by necessary consequences, co-operates with religion in the two great purposes of exalting the general character, and bettering the general condition of man. Of every such government, by consent and concurrence in a common end, religion is the natural friend and ally, at the same time that by its silent influence on the hearts of men, it affords the best security for the permanence of order and liberty, the essential principles of every such constitution. The Christian fosters such liberty, not by idle and theoretical principles of natural equality and sovereignty of the multitude, but by planting in the breast the powerful principles of self-government—principles far higher as springs of action than any worldly motives and feelings. "The fruitful source of sedition and crime," says De Fellenberg, "is the erroneous education of the people; in the absence of worthy motives, vice necessarily accumulates with poverty:" the mind, destitute of fixed principles, either broods in listlessness, or seeks activity in the acquisition of gain and applause however dishonest, by means however base. It is said, indeed, by

* cf "Whom shall ye teach knowledge? and whom shall ye make to understand doctrine? them that are weaned from the milk, and drawn from the breasts. For precept must be upon precept," &c. Isa. xxxviii. 9, 10.

† cf. Montesquieu, Spirit of Laws, vol. i. b. 24. "The Christian religion, which ordains that men should love each other, would, without doubt, have every nation blessed with the best civil, the best political laws; because these, next to religion, are the greatest benefits that men can give or receive."

some moralists, that although industry and temperance may derive their ulterior and more weighty sanctions from religion, still they powerfully recommend themselves by the health they preserve, and by the comforts they bestow. But still to temperance religion gives the stability of principle, and to industry the incentive of duty; and those two virtues, when unsupported by her invigorating influences, are incapable of resisting the allurements of indolence and the impetuosity of passion.

Let civilization, then, (so called) and Christianity, be diffused together by a system of religious education, admitting as an ingredient a certain amount of secular information. Let the "inertia" of the Hindu be overcome by transfusing through the mass of the people the "vis viva" of knowledge, but at the same time "let the children be taught of the Lord."*

Such a combination must ever prove superior to the cold and unedifying instruction obtained in institutions, which contain not in themselves the means of their own corrective. A real sympathy of feeling and belief is thereby inculcated and cherished, which, combined with true knowledge, cannot put prove the ultimate ground of a full assurance in the truth and practice of Christianity; in practice, I say, for in Christianity religion is not divorced from righteousness, but a high and faultless example illustrates her precepts, and imparts the most engaging beauty to the dead letter of the law. It does not fall within the scope of our Essay to enter into details concerning the nature of the secular knowledge to be imparted; whether, for instance, "the leading principles of our literature and science should be transferred, by translation, into the Vernacular tongue," or "whether European philosophy should be communicated through the medium of the English language," or whether, "since an European education presents but little scope for native attainments, while it little fits them for the ordinary routine of native society, a native education should be adopted." With regard, however, to the other, the Christian department, this much we may affirm, that from a comprehensive view of the native character as modified by the Brahminical system; from the feebleness of impression on all youthful minds in matters of religion; from the inertia of the Hindu character, and obliterating tendency of heathenism; from the pressing wants and growing necessities of such a society; from the catalogue of past failures for want of a permanent process; it must be judged essential towards securing the full benefits of Christian education, that above the merely elementary schools, higher institutions should be founded for the purpose of turning the former to account, by drawing the noblest and brightest spirits into co-operation with us, and not throwing them back on their original ignorance, from want of opportunities of applying their knowledge.

But we need not refer to hypothesis or analogy, when we have before us such a system practically realized in elementary schools as connected with the high school of Madras, or the still higher institution of Bishop's College;† by such a gradation education works out and developes its own propagation, and by rearing a qualified native agency is not left to depend on home for labourers."

The view expressed in the following extracts has been very often expressed before; but we confess that the longer we consider such matters, the more are we convinced of its unsoundness:—

"And here we may remark, that amidst all the extravagance of the Hindu

* cf. Isa. liv. 13.

† cf. Note D. Appendix.

religion, the several modes of Divine interposition, prophecy and miracles, visions and inspiration, the assumption of man's nature in semblance or by actual incarnation, are familiar to the pages of the Vedas :* whereby the difficulty in diffusing Christian doctrine and teaching is considerably lessened. For we have not now to bend the native mind to a belief of such truths in the abstract,† but merely to the acknowledgement that what is actually related of such matters in our Scriptures, is clear, evident, and wholly divested of every thing extravagant, and contrary to belief. The facts alone have now to be insisted on. And here I feel assured, that with the learned amongst the Hindus, the investigation of the Sanskrit will effect a good deal towards this conviction. Long buried as it has been by the desolating "lava of successive invasions," much has already offered itself to the investigation of our scholars of a most gratifying and instructive character. Scarcely, indeed, is this "literary Herculaneum" entered, and fragments and remains of great weight and beauty meet us in every direction, relics of former ages, and wonderfully confirmatory of the antediluvian notices in the Mosaic writings. I forbear, however, to trace any fanciful analogies between the Hebrew and Hindu and even the Christian Scriptures. But I feel confident in the belief, that when all the corruptions are at length removed, which a long series of ages has heaped upon the primitive Creed of the world, we shall be acknowledged to have drawn from the same fountain, and to be the inheritors of the same traditions."

That there are many things in the Hindu Books which are clearly corruptions of primevally revealed truths, we are not at all disposed to deny ; but that these place the Missionary upon any considerable vantage-ground is a position contradicted, as we believe, by all experience. Far more likely are they to produce the effect that similar analogies, real or supposed, between the Christian religion and the Greek mythology and philosophy did certainly produce in the third and succeeding centuries, the effect of corrupting and vitiating the pure Christian doctrine. The natural man, however aided, receiveth not the things of the spirit of God.

* Qu. Puranas ? Ed. C. R.

† cf. Halhed's Code of Gentoo, p. 17, where the doctrine of Atonement is said to be preserved in its proper type in their "Ashummeed Tugg."

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THE

CALCUTTA REVIEW.

ART. I.—*The History of the Sikhs, &c. &c. by W. L. MacGregor, M. D. Surgeon, 1st E. B. Fusileers, late 1st E. L. Infantry.* 2 *Vols. Madden and Co.* 1846.

IF the author of this book had attempted less he would have achieved more. As it stands it is a nondescript performance; a graft of history upon a stock of personal narrative, the one ever destroying the vitality of the other. The work is not a "history," though so it is denominated on the cover and on the title-page of the book. It is not a personal narrative, although the writer is constantly talking about himself and recording his own experiences. But it is a book in two volumes and seven hundred pages; and if it is not, in point of construction and arrangement all that we could desire it to be, it is undeniable that it contains a considerable mass of interesting information; and is altogether a very readable book.

It is possible that the students of Punjabi history and politics in this country may object to Dr. MacGregor's work, that the amount of novel information which it contains bears but a small proportion to that which may be found in previously existing works. We are afraid that the validity of the objection must be recognised in our critical court. In the works of Malcolm, Murray, Prinsep, Osborne, Lawrence; in a recent compilation by Mr. Thomas Thornton; and in various numbers of this journal, may be found three-fourths of the contents of these volumes. The remaining fourth, with some slight additions, might more advantageously have been given to the world in a single volume, under some such unassuming title as the "Journal of a Medical Officer, serving in the recent campaign on the Sutlej, with a personal narrative of a visit to the court of Runjít Singh." We believe that such a work would have found more readers and more admirers, and we are certain that we should have felt better disposed to give it a hearty welcome.

As it is, though they must be yielded more sparingly, we by no means intend to with-hold our expressions of obligation to Dr. MacGregor. He is entitled to our thanks for many

amusing, and some original anecdotes; for several very valuable suggestions; and, not least of all, for the earnest, and sometimes touching manner, in which he has borne his testimony to the good and noble qualities of many of his friends and companions, who perished in the hard-fought actions of Múdkí, Ferozshah and Sabraon. We are, perhaps, never so well pleased with our author, as when he writes in his own proper character, as a sensible experienced Medical Officer—one of the many highly intelligent and benevolent surgeon-physicians of whom the Company has so much reason to be proud. It is from the professional character of the writer that his volumes derive whatever of novelty they possess; and as one who takes a deep interest in his profession, Dr. MacGregor will not look upon this expression of opinion as a condemnation of his work.

When some years before his death the physical powers of the old "Lion of the Punjab" began to fail him, and he sought in vain for reinvigoration from the remedies and restoratives of his own Punjabi physicians, it occurred or was suggested to him, that what Eastern skill could not effect, might yet, perhaps, be accomplished by the science and experience of the West. The services of a competent European physician were sought, and found in the person of Dr. Murray, who was, for some time, in attendance upon the Maharajah, but apparently with no very marked results—it being one thing to give advice and to prescribe remedies, another to persuade such a man as Runjít Singh to take either the one or the other. After a time, Dr. Murray was necessitated to retire from Lahore and from India; and soon afterwards Dr. MacGregor was permitted by Government to take his place. Of his medical experiences at Runjít's Court an amusing account is given in the volumes before us; and we think that we cannot do better, before advancing any further, than extract the following passages from the first volume of the *History of the Sikhs*:—

"As further illustrative of the character of the Maharajah, we will offer a few more anecdotes, at the risk of being charged with egotism. In the history of India it will be found, that medical men have some share in procuring a footing for the English in the country. One of the emperors rewarded a medical officer at his court for his skill in curing him, with a grant of land to his countrymen! In our own case, the office of medical attendant on the Maharajah was accepted, when Doctor Murray resolved on going home, more with a view of seeing the Maharajah and conversing with him, than from any pecuniary consideration. Our second visit was made under peculiar circumstances:—for the express purpose of trying the efficacy of electricity and galvanism in removing the Maharajah's complaint. The former agent had been recommended by Dr. H. who occupied the somewhat anomalous position of Physician and Captain at the court of

Lahore. Doctor H. was an adventurer, and started from Lúdianah with the intention of subduing all the countries across the Sutlej; he even hoisted the American flag at Lúdianah, and collected a rabble to attack some villages across the Sutlej; his success, as might have been foreseen, was unequal to his wishes, and he found his way to Lahore, where he remained for some years, and eventually proceeded to Kabul. He is now we believe in his own country. His plan of galvanizing the Maharajah met with a ready consent on the part of the latter, but the exorbitant sum which the doctor demanded for constructing a galvanic battery (£5,000 sterling) naturally disgusted his royal patient, who threatened to wreak his vengeance on Doctor H. if he did not speedily leave his dominions. Dr. H., well knowing the character of the man he had to deal with, lost no time in making his escape to Lúdianah! Acting on the hint, however, the Maharajah determined that the galvanism should be applied to his feeble frame, and the author of this work was accordingly sent to him to perform the operation. We began by constructing a galvanic battery, and with an electrical apparatus, supplied from the Agra depôt, by order of the Governor of the North-western Provinces, the late Lord Metcalfe, we accompanied the political agent to Lahore in the end of 1836. After some delay, a day was appointed for electrifying the Maharajah. The machine was set up and the jar charged, but a difficulty arose on the part of his Highness's attendants, who were afraid that the shock might be attended by fatal consequences. At length the Maharajah begged of them to be quiet, and said he would take the *Bigli* (electricity.) We purposely put a small charge in the Leyden phial, and the Maharajah received it without evincing any particular emotion. On witnessing the slight effect on their master, all the courtiers entreated that we would give them a shock; and this time we resolved to give them its full effect! The Minister Dhyan Singh joined hands with Jemadar Khúshyal Singh, and he with others, until a chain was formed of the whole party present in the durbar. The jar being now charged to the full extent, they received a powerful shock, which made them all jump. Not making allowance for the difference in the charge, the Maharajah naturally received the credit of possessing a stouter heart and stronger nerves than any of his suite; and this first trial was satisfactory to all parties. Khúshyal Singh suggested, that we should teach some one the art of electrifying the Maharajah; but to this proposal we decidedly objected, though willing to continue our own services as long as they might be required.*

Galvanism was next tried, but this the Maharajah did not approve of, and requested the electrical shocks to be repeated at intervals, which was accordingly done, and might eventually have been of use, but the visit of Sir Henry Fane, on the occasion of the marriage of Nonehal Singh, interrupted the course of experiments. We endeavoured, during the course of operations, to explain the wonderful rapidity of electricity, and in what way the Maharajah might communicate through it, in an instant of time, with the most distant parts of the kingdom, but Runjít Singh, though curious on the subject, was rather sceptical on the latter point.

To the use of medicine generally the Mahrajah expressed a marked dislike, and hardly ever took any, unless it was administered by his favourite physician, Azízúdín. He now conceived that our remedies were too powerful for himself and his people; indeed, on one occasion, where we were requested to prescribe for one of his soldiers, he recommended the men

* The Maharajah was much amused at our charging the jar out of him, and discharging it through the Prime Minister.

to take only half the dose we thought necessary to recommend. He looked upon English surgeons as skilful in operations, and in one case where all the hakims (native physicians) of Lahore had endeavoured in vain to relieve a man, a messenger arrived for us, and the patient was saved from death by a single operation, of which however they had no knowledge. On relating this circumstance to the Maharajah, he remarked, "Those English doctors would, I believe, bring people back from their graves!" no small compliment, certainly, to the profession.

The Maharajah said he had heard that claret was much used among the English officers, and requested that we would give him a bottle for trial. He tasted the wine, but did not at all approve of it, adding that it was little better than water, and wondering at our bad taste in using such insipid stuff."

This last paragraph is a notable illustration of Samuel Johnson's splendid aphorism, "*claret* for boys; *port* for men;—but he who aspires to be a hero must drink *brandy*." Dr. MacGregor says, that Runjít delighted in liquor even stronger than brandy. He would have realised, in this respect at least, the great lexicographer's idea of the heroic character. We can readily imagine his contempt of so aqueous a beverage as claret.

We need scarcely say that the Dr. H. here initialised is the notorious Dr. Harlan, who disappeared from Runjít's court only to re-appear at Dost Mahommed's. We cannot recognise the necessity of concealing the full name of this worthy, who is willing enough, at all times, to talk about his own exploits. He has already published one volume from which we made some quotations in a recent article on "Dost Mahommed;" and is preparing for the press, if it has not already appeared in America, a more elaborate work, which is to contain "a Personal narrative of General Harlan's eighteen years' residence in Asia." Such a gentleman has no particular longing after the modesty of initials; and "History," indeed, whose business it is not to hide, but to reveal the truth, has nothing to do with the screens, which may be permitted to the mere writer of personal memoirs. Dr. MacGregor deals in initials a little too much.

From this portion of the work before us we make another extract, which will be read with some interest:—

"From the frequent opportunities we enjoyed of conversing with the Maharajah, he acquired friendly feelings towards us, and on our taking leave of him for a few days, previous to the marriage of his grandson, he insisted on *our* conducting the Commander-in-chief to his court! It was in vain that we pleaded our humble situation of Assistant-surgeon in the Honourable Company's Service, urging that such an honour must devolve on the political agent of the north west frontiers! He said this might be all very true, but that we were his (the Maharajah's) friend and medical adviser, and that he would prefer our undertaking the task. In short, he would admit of no

explanation or refusal, and his treasurer was ordered to disburse the necessary funds for providing a marriage dress! The affair was ridiculous enough, though the Maharajah was perfectly in earnest, and we were obliged to promise that we would return with the Commander-in-chief or the Jungí* Lord, either as an attendant upon or in charge of that high functionary.

It may not be here out of place, to give an example of the momentous effects sometimes springing from humble causes. In his negociations with Captain Wade, the political agent, the Maharajah became annoyed at some delay, and determined to get rid of the political agent, not by sending him away from Lahore, but by taking his own departure and leaving the agent to his solitary cogitations. One evening, the Fakír Azízúdín called upon us with the Maharajah's compliments, saying, it was the wish of the latter, that we should accompany him on the morrow, and that a tent would be pitched for our reception. Knowing nothing of the cause which induced the Maharajah to leave Lahore, we of course promised to attend to his wishes. Soon after the fakír had taken his departure, however, we were informed of the true nature of the case. This was awkward for the political agent, and appeared likely to be followed by serious consequences, for the Sikh troops were then on the eve of attacking Shikarpore, with a view to the conquest of Sindh. What was to be done? We suggested that the political agent should accompany us in the morning to the camp of the Maharajah, when an opportunity might occur for renewing the negociations. Accordingly, early next morning we left Lahore, and reached the camp, where an elegant tent was prepared for our reception. Runjít soon learned tidings of Captain Wade's arrival, and saw plainly that he had been out-manœuvred. The issue was, that the negociations were renewed, and the annexation of Sindh prevented. This little incident is merely recorded as an instance of a victory in the political department over the "Lion of the Punjab," effected through the accidental instrumentality of an humble individual."

Dr. MacGregor says that the Sikh Sirdars, when brought into contact with British officers, have not ordinarily been treated with much courtesy; and tells the following anecdote of a slight put upon Súchet Singh, who was a fine soldier and a gay gentleman, on the occasion of Sir Henry Fane's visit to Lahore, in 1837:—

"The late Dhyan Singh has often remarked to ourselves, that he was disposed to like the British, but he could not comprehend them, and was annoyed at their not treating him with the respect which every gentleman expects from another—adding, "I am as good as they, a Rajpút and a soldier." Though apologizing for our countrymen, we fear the reasons assigned by the rajah have too much foundation in truth. The ignorance of the language of the Punjabis often exposed the officers of the Queen's service, who went to Lahore, to the imputation of intentional rudeness. At a dinner party given by the political agent to the late Sir Henry Fane and his staff at Lahore in 1837, we happened to be sitting next to Súchet Singh, who was invited as a spectator. He was much delighted at the sight of the guests, and seeing them addressing each other, he thought it due politeness for himself to speak to some of the general staff, expecting a civil answer at the least. But to the rajah's amazement, his question, though put in good Urdú, only elicited a stare! He made several ineffectua.

* Literally, the "Battle Lord."

efforts to enter into friendly conversation, when his temper at length became ruffled, and he appealed to us if his language were not intelligible Hindustaní? We assented. "How then is it," he indignantly enquired, "that General L., Colonel D., and others do not reply to me?" We pleaded their ignorance of the language; but the rajah shook his head and insisted that it was pride on their part, and that they appeared to despise him. The sirdars are in general polite men, and their manners such as to make a favourable impression on strangers. Their language, when addressing you in the Punjabi is soft and pleasing. No gutturals, and few dentals find a place in the delivery, in short, it may be called the Doric of the east. Still it may be difficult of attainment to British officers, from the want of opportunity, heretofore, of hearing it spoken. Our intercourse with the Punjab of late, will remove this obstacle, and the Punjabee will no doubt become a favourite study. Runjít Singh spoke it fluently, though he knew Urdú tolerably well, but preferred conversing in the former."

We are afraid that this charge of discourtesy, whether towards Sikhs, Affghans, or Hindustanís is not wholly without foundation. There are some Englishmen, whom it is difficult to persuade that the word *gentleman* is not one of exclusive application to white faces and round hats. It is not easy to calculate the extent to which this exclusiveness may have generated in the breasts both of Sikhs and Affghans that hatred of the English, which subsequently developed itself in so unmistakeable a manner.

Dr. MacGregor has devoted several chapters of his work to a record of those strange, wild, murderous events, which succeeded the death of Runjít—events, which were, for the first time, continuously narrated in an early number of this journal. The account of the assassination of Shere Singh contained in Dr. MacGregor's History differs somewhat from our own. We are, therefore, induced to quote it:—

"In their hours of revelry, it happened that the Maharajah and his favorites often quarrelled among themselves, and Ajít Singh frequently threatened to kill the Maharajah, but the latter did not regard the threat, and hugged himself in a perfect security while he possessed so careful and wise a servant as Dhyan Singh. The Scindinwalas saw the difficulty that attended the assassination of Shere Singh, and did not fully comprehend what advantage was thereby to be gained, unless they could secure the powerful influence of the Rajah. They accordingly devised a plan, whereby the latter might be incensed, and actually connive at the act which they contemplated. Accustomed to obtain the willing consent of Shere Singh to their demands, they resolved to avail themselves of this advantage to effect their design. An order was written out to the effect that Rajah Dhyan Singh should be put to death, and to this the Maharajah's signature was obtained at a time when, overcome by the effects of liquor, he was unconscious of what he was doing. The next point was to make the Rajah aware of the hostile feelings entertained against him by his master. The Scindinwalas broached the subject to Dhyan Singh, by saying that although ill-will might exist between him and themselves, they were equally servants of the state and deserved well of the Maharajah. Dhyan Singh admitted the justness of the remark. The Scindinwalas then added, "What would you think

of a master, who, instead of rewarding our efforts to serve him, should actually wish for and order our deaths?" The Rajah replied, "that he could not believe Shere Singh would ever be guilty of such ingratitude." To show that he could, the order was produced, wherein, the Rajah's own life was ordered to be taken away! Still Dhyah Singh was incredulous, and said that unless both the signature and seal of his master were attached, he could not believe that he entertained such hostile intentions towards him. On hearing these sentiments, Lena Singh and his nephew lost no time in obtaining both, and then presented the order to the prime minister. The latter was caught in the snare, and irritated to the highest degree. Advantage was taken of his state of mind, and the cunning Scindinwalas observed, "If the Maharajah is thus ungrateful to you, it is easy to repay him by ordering him to be slain; only attach your signature to such a document, and it shall be executed to the letter." Thus, by the cunning of the Scindinwalas, the Maharajah and his Minister were made the unconscious murderers of each other. Dhyan Singh signed the fatal paper, and Ajít Singh promised him that it should be executed on the morrow, which happened to be a Friday. On the evening of the day preceding the murder of Shere Singh, Ajít Singh requested that he would be pleased to look at his troops in the morning. To this he readily agreed, and left the city early for that purpose. He passed out on horseback through the Roshnai gate of Lahore, and taking the road towards the parade ground alighted near the garden of Tej Singh, where the tents of his son Prince Pertab Singh were pitched. He had no attendant except the Dewan Dínanath and his armour-bearer, Búdh Singh, who always accompanied him. Ajít Singh speedily joined him, and reported that his soldiers were all present, and ready for the inspection of the Maharajah. The latter called for Dínanath and ordered him to enrol their names as soldiers. While thus employed, Ajít Singh produced a handsome case containing a new English rifle, which he shewed to Shere Singh. The Maharajah inspected the box and its contents, and raising the barrel and stock adjusted the one to the other, and then tried the sight. Ajít Singh remarked that it was loaded, on which, Shere Singh gave the rifle to one of Ajít Singh's attendants and desired him to take an aim and fire it off. His master gave the signal, and the contents of the rifle were lodged in the Maharajah's chest: Shere Singh exclaimed, "What have you done, villain!" and immediately expired. The sword of Ajít Singh separated at one blow his head from his body. The report of the gun instantly brought Búdh Singh to the spot; he cut down two of Ajít's followers, and aimed a blow at himself, but the sword snapped in two, and he ran to procure another: but his foot slipped, and he was speedily despatched by one of Ajít Singh's followers, whom the noise of the gun had likewise attracted to the spot."

Of the authenticity of this narrative Dr. MacGregor appears to entertain no doubt. "This account," he says, "of the murder, and the manner in which it was concocted and executed, are on the authority of Said Hussein Shah, the son of Said Ahmed Shah of Wittald, in whose possession are the very documents giving orders for the death of Shere Singh and Dhyan Singh, under their own signatures." There is no event, in modern history, which has been so variously narrated, and it is probable that some amount of obscurity will always attach to it. Whatever may be the details, the entire incident is but

one of many illustrations of the truth of the proverb, "Whoso diggeth a pit shall fall into it, and he that rolleth a stone it shall return upon him."

We have so recently examined all the history of the Sikh Invasion of British India that we may pass over Dr. MacGregor's narrative of this memorable event. It contains little that had not previously found its way into print. Such points of novel information as it presents are chiefly of a professional character. To some of these we way briefly refer. Dr. MacGregor says, that on the memorable night of the 21st of December, "many a poor European soldier found his way to the rear in search of medical aid;" but that there was no field hospital, and the field-surgeon was sixteen miles off. "There were no medical stores or surgical instruments on the field, except those attached to regimental hospitals." But, after the battle of Ferozshah all that human care and kindness could do towards the alleviation of the sufferings of the wounded soldier was done and done promptly; and there is perhaps no passage in Dr. MacGregor's book, which will be read with so much pleasure as the following:—

"Fortunately Ferozepore was not more than eight or nine miles from the scene of action, and the authorities there, in the commissariat and executive departments, used their utmost endeavours to bring in the wounded. All the men who arrived were forthwith put into the entrenched camp, and the dúlies sent back for more; elephants, carts, &c., were put in requisition, and during the whole night of the 22nd, the wounded were being brought in, or found their way on foot in a state of dreadful exhaustion from pain, loss of blood, and want of food and water. Every available place in this entrenchment was filled with wounded men calling loudly for assistance, but little could be afforded until morning. The writer had an opportunity, on the morning of the 23rd, of witnessing the lamentable condition of the brave European soldier who had bled for his country's cause, now imploring in vain for a mouthful of water. As it was impossible to accommodate the numerous cases belonging to the European regiments in such a confined place, we suggested the propriety of getting a range of barracks for the wounded of each corps. The suggestion was acted upon by the senior medical staff present, and in a few hours carts were procured, and the men sent to the vacant barracks of Her Majesty's 62nd regiment. By noon they were all in their own quarters; and quilts and cots furnished in abundance; in fact, it was almost incredible how the commissariat and executive departments could supply so much comfort in such a short space of time. The wounded owe much to the unwearied efforts of Captain W. B. Thomson and Lieutenant Goodwyn (who responded to every call) for their comparatively snug condition on the 23rd and 24th, and it was a gratifying sight to the Governor-general when he visited them to find so much comfort where he anticipated so little. He generously gave strict orders, that every thing required should be supplied; and without the usual formality of an indent. Sir Henry Hardinge visited all the wounded men and officers, and had a cheerful word for all. If a poor man had lost an arm, the Governor-general consoled him by pointing to his own sleeve, and assuring him he would soon be all right,

The men were delighted at the urbanity and kindness shown towards them by the Governor-general of India, and for a time forgot their own sufferings in the admiration which his kindness elicited. Nothing is at any time more gratifying to the wounded than attention from the humblest individual, but when the Governor-general thus deigned to comfort and address them, their hearts were filled with sentiments of gratitude and esteem. The Commander-in-chief, whose arduous military duties did not allow him to visit the wounded at Ferozepore for some days later, did every thing in his power to cheer the men; he praised their undaunted bravery in one of the hardest battles ever fought in India, and though the casualties in killed and wounded had been heavy, he was grateful that Providence had enabled him to conquer a proud and fierce foe, and thus sustain the honour and courage of the British soldier. He spoke to all and listened to all, their every want and every wish found in him a chief eager and willing to remove the one and gratify the other.

The Governor-general took immediate measures for having all those who had lost limbs, or whose wounds rendered them unfit for service, conveyed to Europe as soon as they could be safely moved. He visited the wounded again and again, and watched over their welfare with a solicitude that could not have been surpassed had his own children been the objects of his attention."

We may let Dr. MacGregor speak once again, in his character of army-surgeon. The following practical remarks are worthy of attention:—

"In all engagements, in India at least, the sooner a limb is lost after it has been wounded, the greater will be the chance of success; in fact, the amputation, if delayed, had better not be performed at all. Hence, the necessity of a field-hospital is an important point that will not, it is hoped, be overlooked in future wars.

As every officer takes an interest in the welfare of his soldiers, a few remarks on the state of the wounded, will, we feel assured, be acceptable to our military readers.

At Ferozshah, the grape of the enemy committed the greatest havoc; and accordingly, the greatest number of wounds were inflicted by a heavy iron bullet, which, on being extracted, left a large opening, and often caused severe inflammation in the surrounding parts. In the attack on the entrenchment at Sobraon, the musketry was the deadly weapon in the hand of the Sikhs, and the musket ball was oftenest met with; it was a small bullet, and caused but little harm if in a fleshy part; but when entering a knee-joint, the succeeding inflammation was such as often caused death; and from the experience gleaned at Sobraon, as well as at Ferozshah, there is little doubt (in fact, the point appears to be completely settled) that a *musket bullet or grape shot lodged in the knee, requires immediate amputation.* This is an important point, and had it been fully appreciated, we should not have to lament the death of many men and officers thus wounded during the present campaign. Though a bone be simply fractured, and even a smaller joint, such as the ankle, injured by a gun-shot wound, recovery without loss of limb may occur, provided proper apparatus for treating such accidents be available. There is always much more credit due to the surgeon who saves a limb, than to him who cuts off legs and arms indiscriminately: but when saying this, it must not be forgotten that a gun-shot wound of the knee-joint or other joint, when the bones are much injured in the latter, demands immediate amputation; and delay, or as it is usually termed "giving a chance," is worse than useless, and puts the patient's life in jeopardy. In a military

surgeon, decision is the first quality: when he has decided on the propriety of operating, no time should be lost in putting the design into execution; for a wound of a joint which at first appears simple and unattended with any danger, may in twenty-four hours assume an aspect which will render amputation too late. These remarks will be sufficient for our non-professional readers: the illustration of military surgery in India must be conveyed through another channel."

Dr. MacGregor presents us, at the conclusion of his narrative with some chapters of "General Remarks." From this portion of his work, we are now about to make an extract, which at least is characterised by *suggestiveness*, to no ordinary extent:—

"Though placing every confidence in the zeal, talent, and energy of Major Lawrence and his assistants, we are, nevertheless, doubtful of the propriety of entrusting the management of a nation like the Sikhs to political deputies. The latter signally failed at Kabul, and would have probably been equally unfortunate in Sindh, had not the military skill and decision of Sir Charles Napier been called into action at a critical moment. We do not mean to insinuate for an instant, that Colonel Outram was not fully capable of managing affairs at Hydrabad in a military capacity, but the very constitution of political diplomacy is inert as regards the semibarbarous nations of the East. They pay no respect to civil institutions, and regard the exercise of the functions of a political agent as entirely dependent on the military force at his command. Without a demonstration of this power his orders are disregarded; and, therefore, it might be more effectual were orders to issue at once from the military commandant.

The disaster at Kabul is fresh in the recollection of all. The splendid success in Sindh is equally so. With two such glaring examples before our eyes of the respective value of political and military control, the choice was apparently easy. The Governor of Sindh was at Lahore, and it becomes a question whether it would not have been more advisable to entrust Sir Charles Napier with the full and complete command of the newly acquired territory in the Punjab, as well as the garrison of Lahore and our political relations with the Sikhs, than to send him back to a country which he had already brought into a state of order and good government. It may be urged, the one command was inferior to the other; but this we are disposed to deny. The country of Sindh was under the rule of Mussulman Amírs, with a half-disciplined army which could never have opposed the disciplined troops of Runjít Singh. The kingdom of the latter has been virtually subdued by the British, but the complete subjugation of it delayed. A task yet remains of more importance than even the reduction of Sindh; and there appears to be no one so well calculated for its performance as the gallant officer who chastised the insolence and bad faith of the Amírs and the wild tribes of Belúchistan.

The appointment of Sir Charles Napier to command the Punjab would have rendered political agents quite unnecessary. He would have enforced his orders at the point of the sword. Such is his practice in Sindh. There is thus no appeal from his mandates. No doubtful controversy interferes with his movements. No delay takes place in carrying out his measures. He forms his own opinion of the necessities of the moment; and his object being to secure firm possession of territories once acquired by the sword, his resolve is carried into immediate execution. These are the leading principles by which he has conquered and retained Sindh; and had such prin-

ciples directed our affairs in Affghanistan, the disastrous events which blemished the fair fame of the British arms would never have occurred.

At Kabul, the management of affairs was entrusted to a political agent or envoy, whose energy and spirit were conspicuous, not as a political leader, but as an adviser in military matters! In the former capacity, he allowed himself to be overreached by the wily Affghan, and he could only have been extricated by the decided and prompt measures of the military force, but this was in the hands of another, who considered himself in a great measure the judge of the necessity for its employment. Vacillation was the consequence. The man who knew what was required could not command the resources imperatively called for, and he who ruled these did not understand the critical position in which affairs had been placed, and hesitated to render the necessary assistance. He who conducts political matters in a newly acquired territory ought to have troops at his sole command. His calculations may embrace certain political arrangements, which nothing but a strong military power will enable him to carry out; and unless he possess the full power and management of the force, his plans may be followed by disastrous consequences.

For these reasons we advocate the expediency of a military ruler who shall be invested with full political authority. True, it may be said, a military commandant has only to act under the direction of the political authority; but if measures are recommended, which professional experience teaches him are sure to miscarry, his proud and independent spirit will probably spurn the idea of allowing misfortune and disaster to follow any proceeding which he has it in his power not to adopt.

The British policy in Sindh has been a matter of dispute. While some writers applaud Sir Charles Napier's energy, others have endeavoured to vindicate Colonel Outram. What the effect of the measures recommended by the latter would have been it is now difficult to say, but from the well-known character of the Natives for prevarication, cunning, and deceit, we are induced to believe that the Amírs of Sindh would have proved faithless to their engagements, and disastrous consequences might have followed. We have been somewhat unwillingly led to discuss the affairs of Sindh and Kabul; but in treating of the relative advantages of vesting authority in diplomatists and soldiers, the latest illustrations that presented themselves were naturally adopted. We now repeat, we are warranted, in so far as past experience can guide us, to draw the conclusion, *that in governing a country whose inhabitants are decidedly hostile to us, and only wait for an opportunity of expelling and destroying our servants and troops, surely military power is the best adapted for preventing both disasters.*"

We propose to avail ourselves of the opportunity afforded to us, by the quotation of this passage, to discuss, at some length, the much-canvassed system of political agency, which Dr. MacGregor, in common with many other intelligent men, considers to be so injurious to British interests in the East. Dr. MacGregor has written very temperately upon this subject—a circumstance which we remark upon only because the subject seldom is discussed with anything like moderation. There is, indeed, no single controversial topic, which has eliminated so many sparks of bad feeling—none which has struck out so much acrimony, so much personality; so much bitter invective, and we may add, so much reckless

mendacity. At one time a "political" was, by many writers, considered fair game. To hunt him down with all conceivable calumny and vituperation, was regarded as a laudable achievement. Every one had a stone to throw at him—every one howled at him with execration, or shouted at him in derision. Temperate men, on this topic, became intemperate; charitable men, uncharitable; sagacity ceased to be sagacious; discrimination ceased to discriminate. All alike lifted up their voices to swell the chorus of popular indignation.

The Kabul outburst, with its attendant horrors, filled this cup of bitter feeling to the brim. It would be difficult to embody, in a page of mere description, the popular notion of an Affghan "political." He was believed to be a very conceited, a very arrogant, a very ignorant, and a very unfeeling personage; a pretender, who, on the strength of a little smattering of Persian and some interest, perhaps petticoat interest, in high places, had obtained an appointment, the duties of which he was not capable of performing, and the trust involved in which he was well nigh certain to abuse. He was looked upon as a creature whose blunders were as mischievous as his pretensions were ridiculous; one, whose ideas of diplomacy were limited to the cultivation of a moustache and the faculty of sitting cross-legged on the ground; who talked largely about *durbar*, rode out with a number of sowars at his heels; and was always on the point of putting salt upon the tail of some fugitive chief and never achieving it after all. But this was only the more favorable aspect of the picture. There was another and a darker side. He was sometimes represented as a roaring lion, going about, seeking whom he should devour; unveiling Affghan ladies and pulling Affghan gentlemen by the beard; inviting chiefs to a conference and then betraying them; blowing sirdars from guns; conniving at wholesale massacres; bribing brothers to betray brothers, fathers their sons; keeping fierce dogs to hound them at innocent countrymen; horsewhipping unoffending citizens in the street; desecrating mosques, insulting múllahs, trampling on the Koran—in a word committing every conceivable outrage that cruelty and lust could devise. There was no amount of baseness, indeed, of which these men were not supposed to be capable; no licentiousness to which they were not addicted; no crimes, which they did not commit. This was the popular notion of an "Affghan political." It was constantly illustrated in oral conversation and in the popular literature of the day. Men talked and wrote upon the subject as though the question—if ever question there were—had long ago been settled by common

consent; and it was not until the war had been brought to a close, that a doubt was raised respecting the validity of the charges, so generally brought against the whole tribe of diplomatic *employés*.

Very much of this is mere exploded slander. Alas! we can not say that the political officers, who figured throughout the Affghanistan campaign, have *lived down* the calumny of which they were the victims. Very few of the number survive. But a reaction, in public opinion, has commenced; and we can discern a growing disposition to render justice, at least to the memories of the dead. Men speak and write more temperately on the subject. Exaggeration is no longer the characteristic of the opinions that are expressed; and, in some cases at least, *ample* justice has been done to the noble qualities of head and heart which have adorned, perhaps do adorn men amongst us, under the great "Political" reproach.

It would serve no good purpose to run from one extreme into the other. It is the evil of sudden reactions of popular feeling, that men escape from one error only to be precipitated into another of an opposite character. The system of Political agency is not one of unmixed good; nor are Political Agents exempt from the common frailties of humanity. Many mistakes were unquestionably committed; sometimes a stronger word might without exaggeration have been applied to the things that were done in Affghanistan by our diplomatic agents. Diplomacy is, at all times, a dangerous game. It has seldom, if ever, been played in any part of the world, without some loss of purity, some departure from integrity. In Europe, the diplomatist treads a tortuous path. Guile is met with guile. Fraud is often counteracted by fraud. Minister over-reaches minister; one state jockeys another; and, in the affairs of nations arts are resorted to, which, in the concerns of private life, would stamp the wily plotter with infamy not to be escaped. But, in the East, in the midst of the worst contagion, tempted on every side, stimulated by the fear of failure, irritated by the duplicity of others, far greater is the difficulty of preserving intact the diplomatic integrity which is exposed to so many corrupting influences. We are not asserting the propriety of fighting all men with their own weapons; nor have we indeed, much faith in the worldly wisdom, apart from all considerations of right and wrong, of playing off wile against wile—meeting treachery with treachery—lie with lie. Such tactics may succeed for a season; but in the long run truth and honesty will be found the most effective weapons. All we desire to plead in behalf of our oriental diplomatists

is the extraordinary temptations to which they have been exposed. Many of them were necessarily without experience in the difficult game; and, therefore, apprehensive of failure —little confident in themselves, when called upon to encounter, perhaps for the first time, the deep duplicity of eastern intrigue. Fearful of being drawn into a snare, and deeply impressed with a sense of the responsibilities resting upon them, they have sometimes, in their eagerness to bring negociations to a successful issue, departed from that strict line of integrity, which we could wish our countrymen ever to maintain. This much at least must be admitted—but who has ever gained a reputation as a skilful diplomatist without some deviation from the straight path of open and truthful manliness of conduct?

It must be admitted too that, in some cases, our political officers have not preserved, in their own individual conduct, the strictest personal morality. There has been private, as well as political laxity—other intrigue and other licentiousness than that of the astute diplomatist has sullied the characters of more than one of our eastern "Politicals." In a country, where great opportunities and but slight restraints have existed, they have given way to their appetites in a manner that Christianity must ever deplore. But the frailty of which we speak is not a peculiar taint of our political officers; though from the circumstance of their more prominent position, their errors have been more fully revealed and more nearly scrutinised. It is true that the greater familiarity with the native languages possessed by our political officers and the closer contact in which they are brought with the people, supply facilities of intrigue, not enjoyed by their military brethren; but it may be questioned whether the average morality of this privileged class has been, or is lower in degree, than that of their officers who have served with their regiments beyond the frontier. If it be easy to have from among the long list of political *employés*, men who have left their Christianity behind them in Hindustan, it is not more difficult to point to many lustrous examples of Christians, who have gone unscathed through the furnace of strong temptation.

Having no other object than that of an impartial examination of the truth, we have, without reservation, made these preliminary admissions. At the same time, we would desire to lay all possible stress upon the difficulties, which beset the path of our Indian diplomatists. It has been too much the fashion, whilst drawing, in the strongest lines and the most flaring colours, the errors and offences of the "political" to trace dimly these difficulties, or not at all—difficulties, which,

in all probability few have taken the trouble to comprehend, even whilst dealing out these censures with a most unstinting hand. What those difficulties are we have already hinted—and it would be easy to enter into a detailed exposition of them; but we think that it would be more satisfactory—and assuredly more interesting to our readers, to offer one good illustration, than to enter into an elaborate disquisition of our own.

The document, which we are now about to publish, was given to the writer of this article by the late Major D'Arcy Todd. It was drawn up by a member of the Heratic Mission; and sets forth in plain, unexaggerated language, the nature of the transactions between the British agent and the minister, Yar Mahomed. It supplies a most instructive example of the difficulties of eastern diplomacy, showing the consummate duplicity, the reckless falsehood, the villainous artifices against which an English political officer in Central Asia is called upon to contend. The paper has long been in our possession, and we now publish it not only as an illustration of the common difficulties of Indian diplomacy; but as a vindication—and a complete one—of the conduct and character of an able and upright man, who is now beyond the reach of human injustice:—

Facts regarding our Political relations with Herat and the conduct of Yar Mahomed Khan, from November 1837 *to February* 1841.

1. "In consequence of the predatory incursions of Yar Mahomed Khan on the Persian territories, for the purpose of supplying the slave markets of Túrkistan, Herat was besieged by the Persian army under Mahomed Shah in the month of November 1837.

November 1837.

2. Through the zealous exertions of Eldred Pottinger, the advice given by him to the Herat authorities, and the hopes and expectations of assistance held out to them by the British Government, Herat withstood a siege of upwards of nine months.

1837-38.

3. By the timely interposition of Her Majesty's Government and the threat of immediate hostilities unless the Persian siege was raised, Mahomed Shah was induced to withdraw from before Herat, when that city was reduced to the last extremity, and when the besieged had no hope of being able to defend it for another week. Its inhabitants were thus rescued from massacre, or dishonor, to which, in consequence of their obstinate resistance to numerous assaults, Mahomed Shah had publicly doomed them.

September 1838.

4. On the siege being raised, every effort was made by Colonel Stoddart and Lieutenant Pottinger to save the wretched inhabitants from *starvation*, and to abolish the inhuman traffic from which the invasion had risen. As this trade in slaves at that time constituted almost the sole revenue of the kingdom, an allowance from the British Government for the support of the king and chiefs was rendered necessary by its suppression.

September and October 1838.

5. The humane exertions of Colonel Stoddart and Lieutenant Pottinger in suppressing the slave trade, and profecting the inhabitants of the city from the tyranny and oppression of Yar Mahomed and Shah Kamran, exposed them to the enmity of these authorities, so that, in the course of two months after the siege, they were insulted in the presence of the king, and ordered to leave the Herat territory; Colonel Stoddart accordingly left for Bokhara.

October and November 1838.

6. Lieutenant Pottinger having been requested to defer his departure, was again insulted, his house attacked by the Wuzír's retainers, and one of his servants seized and publicly mutilated. This occurred in January 1839.

January 1839.

7. In the month of March 1839, while the Government and the people of Herat were supported by the generosity of the British Government, overtures were made by the Wuzír to the Persian Court, and to the chiefs of Kandahar, to co-operate aganist Shah Shúja-úl-Múlk, and his Majesty's British allies!

March 1839.

8. The rapid advance of our troops, and the cautious policy of the Persian Court alone prevented this coalition. Kandahar was occupied, and Yar Mahomed Khan was among the first to congratulate his Majesty Shah Shúja on the occasion.

April and May 1839.

9. In return for these overtures from Herat, a Mission was sent under Major Todd, for the purpose of negotiating a treaty of friendship and alliance between the British Government and Shah Kamran. By this treaty the independence of the Herat State was guaranteed, and the most substantial benefits were conferred upon it, on condition that slave dealing should be abolished, and correspondence with Foreign Powers, without the knowledge and consent of the British Agent, prohibited.

June and July 1839.

10 This arrangement was completed in August 1839, and a fixed monthly allowance, equal to the original revenues of the country, was granted by the British Government for the support of the Government made by Lieutenant Pottinger; the people were also exempted from all taxation until after the harvest of 1840; and advances for the purposes of cultivation, and for the restoration and support of trade were most liberally made.

August and September 1839.

11. When pecuniary advances to the amount of not less than 6 Lakhs of rupees had been made for the benefit of the Herat State, and while every possible effort was employed by the British Envoy to restore the country to prosperity, Yar Mahommed Khan was detected in a treacherous correspondence with the Persian Ansefúd Dowlah at Mesh-ed, having for its object the expulsion of the Infidel English from Affghanistan!

October 1839.

12 In the month of January 1840, up to which time the advances to the Herat Government and people exceeded the amount of ten Lakhs of rupees, and when King, Chiefs, and people, were equally saved from starvation* by British aid, a letter was addressed by Shah Kamran to Mahomed Shah of Persia, declaring himself to be the faithful servant of the Shah-in-Shah (Persian king) *that he*

1840.

* The price of flour in the Herat Bazar was about this time 1 *Cos. Rupee* for less than 4 Hindustani Seers, and the whole supplied from Túrkistan, the markets of which had been opened by our negotiation with Khiva. On our arrival at Herat, although the harvest had been reaped, 5 maunds of flour were with great difficulty procured in the Bazar, and to meet the demand which the arrival of the Mission (consisting of about 120 persons) occasioned we had immediately to send for supplies from Seestan.

merely tolerated the presence of the English Envoy from expediency, although, to give him his due, he was by no means niggardly in the expenditure of money, jewels, &c., and that his (Shah Kamran's) hopes were in the asylum of Istam!

This letter was, in March 1840, sent by the Persian Minister to Lieutenant Colonel Sheill, H. B. M., Chargé d'Affaires at Erzeroom, in reply to the demand by the British Government for the restoration of Ghorian to Herat. Letters were, at the same time, addressed by the Wuzír, or his brother, to the Russian ambassador at Tehran, requesting that a Russian Agent should be immediately sent to Herat.

13. Lord Auckland having been informed of the treacherous correspondence of Yar Mahomed Khan with the Persian Ansefúd Dowlah (in October 1839) was pleased to extend his forgiveness to the Wuzír, for this breach of treaty, in consideration of his previous good services, in withstanding the Persians for so many months; and in the
February 1840. hope that his Lordship's leniency would have a good effect on the future conduct of Yar Mahomed, this forgiveness was extended to every such offence of which the Herat authorities might have been guilty previous to the receipt of his Lordship's letter. As the Governor General's order on the subject was received in February 1840, the letters to Mahomed Shah and the Russian ambassador, which although unknown to the British Envoy until April or May, had been written in January, were consequently passed over without particular remark.

14. On being made acquainted with the lenient consideration with which he had been treated by the Government of India, Yar Mahomed professed an extreme desire to give some convincing proof of his devotion to the British Government, and proposed an immediate attack upon the Fortress of Ghorian, then in the hands of the Persians. Trusting
June and July 1840. to his sincerity in this instance, he was some time afterwards permitted to make the attempt, and upwards of *Two Lakhs* of Company's Rupees were advanced by the British Envoy to enable the Wuzír to equip a force for the purpose. After every preparation had been made for surprising Ghorian, Yar Mahomed, on the most frivolous pretext, evaded doing so, and although no *direct* proof against him was obtained, the strongest circumstantial evidence supports the general belief that he, at the time, wrote to the Governor of Ghorian, that the English urged him (the Wuzír) to attack Ghorian, but that he (the Governor) need be under no apprehension!! This occurred in the months of June and July 1840, after advances to the amount of at least nineteen Lakhs of Rupees had been made for the benefit of the Herat Government.

15. In consequence of this perfidious conduct on the part of the Wuzír, extra advances, to the Herat Government were no longer
August 1840. made, and their subsidy was limited to about 25,000 Rupees per mensem.

16. When a sufficient time had elapsed for ascertaining the sentiments of the Governor General on his conduct in the Ghorian affair, and no farther notice having been taken of it than what I have above mentioned, Yar Mahomed, in September 1840, renewed his intrigues with the Persians. An invitation was sent to the Persian Minister for foreign affairs to meet the Herat Authorities in conference, and the Persian Minister accordingly left Meshed, en route to Ghorian for that purpose. Believing, however, that by making this intrigue known to the British Envoy, and attributing the blame of the transaction to his brother, he might reap a rich reward for his apparent sincerity, the Wuzír acquainted Major Todd
September 1840. with the circumstances, and urged very strongly his claims for further pecuniary advances. Upwards of 20 Lakhs of

rupees had at this time been expended upon the State of Herat, the yearly revenue of which, including all that could be raised by torture, tyranny, and slave dealing* did not average more than 4 Lakhs.

17. In October 1840, when intelligence reached Herat of the recapture of Khelat by Muhrab Khan's son, the advance of Dost Mahomed, and our reverses in Sindh; the Wuzír was only prevented from declaring against us by the occurrence of a feud in his family. He, however, made his involuntary forbearance a ground for further pecuniary demands which were with difficulty refused to him.

18. Before information of the surrender of Dost Mahomed Khan had reached Herat, and when he found himself less embarrassed than he had expected by the seizure of his cousin (Sirdar Dín Mahomed Khan who had been next in power and importance to himself) the Wuzír industriously circulated reports of his intention to march against Kandahar, and received emissaries from the disaffected in Shah Shúja's dominions. He at the same time, as usual, renewed his demands for money, which the British Envoy might under the circumstances, have possibly been obliged to give him, had not the gratifying intelligence of Dost Mahomed's surrender the re-occupation of Khelat, and the satisfactory result of our negotiation, with Khiva, most opportunely reached him.

October 1840.

October and November 1840.

19. With regard to the negotiations with Khiva, I may mention, that Yar Mahomed Khan had uniformly done the utmost in his power to thwart all the arrangements made by Captain Abbott and Lieut. Shakespear, but fortunately his character was well known and appreciated at Khiva; I may also here state generally that in this memorandum, I have restricted myself to the acts of perfidy and treachery, of which there is direct and most convincing proof. To enumerate all the occasions on which, by spreading reports of our intended seizure, and of arrangements having been made with Persia, he endeavoured to intimidate the British Envoy into compliance with his demands, would be impossible. From August 1839, to February 1841, not a single week passed in which some rumour of the kind was not brought to us. On one occasion, in August 1840, so general was the belief of our intended seizure, that in conversation with Shah Kamran, H. M. took an opportunity to mention it, and desired that we (Sahiban Inglís) should be under no apprehension as he was our friend! but that had he not protected us, not a Feringhí would have been left alive!! His Majesty was pleased to conclude by asking whether he did not deserve credit for behaving differently to us from what the Amír of Bokhara had to Stoddard Sahib?†

In reply, I thanked His Majesty for his kindness, but said that we (Sahiban Inglís) were under no apprehension; that we were conscious of having done only good to Herat, and that we feared no ill which could befall us.

20. In January 1841, when the disaffected Dúranís, in Zemandawar, had laid that district under contribution, and had sent exaggerated reports

* The last source of revenue (slave dealing) was by no means so profitable as might at first be supposed. Although upwards of 12,000 slaves from Herat are stated to have been sold to Khiva, from 12 to 15 men and women were *frequently* given for a horse; and in one instance, of the truth of which I have no reason to doubt, for a horse presented to Major Todd, and sold at Girishk by auction, for, I think, Co.'s Rs. 500 (to a Ressaldar of Cavalry for the Bhurthpore Rajah), 20 slaves had been given as the price, and one as a present to the servant who brought him.

† I may mention that this took place at a private audience which I had with His Majesty, and that he was on the occasion tolerably sober!—*J. S. Login.*

of their power and prowess to Yar Mahomed Khan, he again opened communication with the Persians, sent a large deputation under
January 1841. a confidential Agent to the Persian Ansef, at Meshed, and urged him to assist in an attack on Kandahar, while snow prevented communication between that City and Kabul.

21. As the opportunity appeared favorable to mark his opinion of this glaring breach of treaty, the presence of a large force in Upper Sindh enabling him to do so with greater effect, Major Todd deter-
February 1841. mined to suspend the monthly allowances (Co.'s Rs. 25,000) to the Herat Authorities, until the pleasure of Government were known, and he accordingly on the 1st of February notified this intention to the Wuzír.

22. Yar Mahomed having received, what he considered to be a very favorable account of the reception of his Mission to Meshed, and intelligence having reached him of the re-assembling of the insurgent Dúranís in Zemindawar (after their dispersion in the previous month by our troops) by which he no doubt hoped that our communication with
February 1841. Kandahar would be cut off,* trusting also to the continued forbearance of the British Government, the patience with which they bore insults, and their evident extreme desire to retain the friendship of the Herat Authorities, he determined to play a bolder game.

23. At an early period of our relations with Herat, and while he entertained some dread of punishment for his perfidy, Yar Mahomed had frequently proposed as a test of his sincerity and of his devotion to British interest, that a contingent under British Officers should be stationed at Herat. This proposal had at the time been favorably received by Major Todd, and I believe also by the Envoy and Minister at
February 1841. Kabul, but was disapproved of by the Government of India. Knowing however Major Todd's sentiments on the subject, and believing that in this way only could he gain his end, the Wuzír again professed his acquiescence in the admission of a British Brigade into the valley of Herat, on condition that a large sum of money, two Lakhs, should be *immediately* paid to him, and the monthly allowances greatly increased. As a test of his sincerity in this instance, Major Todd required that the Wuzír's son, Sirdar Syud Mahomed Khan, should proceed in the first place to Girishk, there to await the orders of our Government, and to escort the troops to Herat, should the arrangement be approved of; and that, from the date of his arrival there, the advance of money should be paid, and the increased allowance commence. The Wuzír decidedly refused compliance with this counter demand, and by doing so shewed, that however sincere he may
February 1841. have been when he first made the proposition for the admission of troops under British officers,—and that he was so while under dread of the vengeance of the British Government, there is no reason to doubt—he had now no intention to carry into effect the offer which had only been made to serve his immediate purpose, viz. the obtaining of a large pecuniary advance. As this seemed to be the only available

* Yar Mahomed had, within the previous ten days, twice intercepted our letters to Kandahar. In the first instance, by employing Affghan thieves, he endeavoured to avoid the odium of the proceeding; but knowing that he was suspected, he, in the second case gave orders to the horseman to stop the packet at a place (near Gurmal) where the Jummalzye Noorzyes were occasionally troublesome, and sent a horseman to feign having been robbed by them. On both occasions, it is to be remarked, that the intercepted despatches reported his treacherous proceedings, and of this, from previous occurrences, he must have been aware.

test of the Wuzír's sincerity, and as accommodation on the point seemed hopeless, Yar Mahomed brought forward what he considered his unfailing resource under the circumstances, the alternative of an immediate payment of the money, or the offer of a Mehmandar to conduct the British Mission from Herat.

24. Thinking it more dignified, in every respect, to submit no longer to the humiliating insults of an ungrateful miscreant, *whose very existence depended on British forbearance*, and whose arrogance and vanity were only increased by a continuance of our favors, Major Todd determined to accept the alternative offered him, and accordingly withdrew the Mission to Kandahar. To this proceeding he was further led, by his desire to leave Lord Auckland at full liberty to adopt any line of policy, which might afterwards be deemed expedient towards Yar Mahomed and the authorities of Herat, and to avoid the risk, which the daily increasing arrogance of the Wuzír's retainers augmented, of being left no alternative than the employment of force.

25. For having acted with these views and under these impressions, and for having failed in carrying out the conciliatory policy of our Government towards Herat, which Sir Alexander Burnes had, with his usual prudence, refused to attempt, Major Todd has, before the circumstances under which he had to leave Herat were known to Government, been declared unfit for political employment, and remanded with disgrace to his Regiment. Nor is this the only punishment with which he has been visited for this offence. On the day following that on which intimation of his departure from Herat reached Calcutta, by a public letter sent by express, an editorial article appeared in the *Englishman* Newspaper, of the 16th March, commenting in the strongest terms on "the disgraceful flight of the demented Major Todd," and conveying almost verbatim the censure passed on him by Government on the previous day, for the proceeding.*

26. But to return to Herat, Yar Mahomed Khan had by no means expected that the alternative he had offered would be accepted by the British Envoy. He consequently became greatly alarmed, and endeavoured, both by promises and indirect threats, to prevent the departure of the Mission from Herat. His attempts to effect this having been fruitless, he then entertained hopes of assistance from Persia, and meditated, in conjunction, with the Dúranís of the Helmund, an immediate recourse to hostilities against us. With this view the Wuzír sent emissaries in all directions to rouse the disaffected in Shah Shújah's dominions, and
February 1841. replenished his treasury by forced loans from the merchants (whom he had seized) by torturing all who had received advances for cultivation from the British Government, and by exacting fines from such as had been in the service of the "Feringhí kafirs," when at Herat. Doubtful nevertheless of the success of these proceedings, he at the same time thought it prudent to send letters fraught with friendship and devotion to the British Government, and expressing his great regret that any misunderstanding should have taken place.

27. Of the failure of his hopes of assistance and co-operation from Persia he had not long to remain in doubt, and as our negotiations with Khiva prevented aid from that quarter as Sístan, Mymuna, the Hazarahs, Tymunnís, and Ferozekohís, were ready at a word to
March 1841. rise against him, and as of his own immediate adherents he had not 1,500 men in whom he could confide, the Wuzír's

* As the 16*th March* was the latest safe day for the transmission of intelligence to England by the April Bombay mail, the remarks of the *Englishman* must necessarily have been copied into the English papers, and remained uncontradicted for months.

hopes of resistance must have fled, and he must have prepared himself for any concession. Had a small British force been at this time moved to the frontier, an *European* Corps been sent from Quetta to Kandahar, or the Helmund, and had some small display of offensive operations been made. Yar Mahomed must have abjectly *petitioned* for any terms which we might have chosen to impose upon him.

28. But in this extremity his proverbial good fortune did not forsake him, when he expected nothing less than the advance of a Brigade of British Troops across his frontier—he was delighted by the receipt of two friendly letters, assuring him of the high consideration of the British Government and of their deep regret that any thing unpleasant should have for a time estranged their very faithful friend. To give him a better opportunity to explain his conduct—the Government disavowed all the late proceedings of Major Todd, and begged that the Wuzír would favour them with his own statement of the case and greater effect was unintentionally given to these conciliatory letters, by our small force being withdrawn from the Helmund to Kandahar, leaving the Dooranees again at full liberty to renew their rebellious proceedings in Zemendawar.*

April 1841.

29. Satisfied by these conciliatory overtures that he had no immediate cause to apprehend an attack, and that the British Government were as anxious as ever to retain the friendship of Herat, satisfied also that so long as we did not attempt to molest him, he was free from any other attack, Yar Mahomed puts the letter from the British Government into his pocket, says that he can give no answer until, through his brother at Tehran, he receives the commands of the "Imperatûr-i-Rûs," continues to foment rebellion in Shah Shûja's territories, and tortures and enslaves his wretched subjects, whom the presence and protection of a British Mission, at Herat, had again tempted within his power!

May, June and July 1841

Such are the difficulties of Eastern diplomacy—such the result of meeting them as a single-minded, upright man! Major Todd was no match for Yar Mahomed. He could not meet guile with guile; fraud with fraud; he could not promise and lie; juggle and cheat; so the unscrupulous Mahommedan beat him. The Mission left Herat, unsullied, but unsuccessful; unfortunately for Major Todd, at that time success was the "one thing needful." If he had beaten Yar Mahomed with his own weapons he would have been honored and applauded. He could not so demean himself, and he was censured and disgraced. It is little better than the utterance of a truism to assert, that the departures from political integrity, which have cast discredit on our Eastern Missions, have all resulted from an over-anxiety to achieve success—a dread of the conse-

* Of this they have not failed to avail themselves—Akhtar Khan, the Alizye chief, has ever since been in arms. Within the last month he, with, it is said, 6000 followers, has besieged the Fort Girishk, which has only been saved by the advance of a small force under Captain Woodburn. The rebels have been defeated with great loss, in a night attack on Captain Woodburn's camp, but they have retreated to Zemendawar, and are still in force there.

quences of failure—a knowledge that the means employed are seldom scrutinised when the end has been cleverly attained.

To Major Todd we may not unfitly devote another page of this journal. After serving, when yet a Lieutenant in the Company's Artillery, for some years with the Persian Army, he was on the declaration of war against the Barukzye Sirdars of Affghanistan, in 1838, selected to fill the office of Military Secretary and political assistant to the envoy and minister.* In the following year, on the withdrawal of Eldred Pottinger from Herat, he was appointed by Mr. Macnaghten Political Agent at that Court—the office having been previously offered to Sir A. Burnes, who very prudently declined it. The transactions, in which he found himself engaged at Herat, are set down in brief chronological array in the statement of facts printed above. We need only add, that during his residence at Herat, the name of Major Todd reached to all the neighbouring states of Central Asia, and was greatly respected by the semi-barbarous potentates beyond the regions of the Hindu-Kúsh. Captain James Abbott, on his perilous journey from Herat to the shores of the Caspian, had more than one opportunity of ascertaining the estimation in which his friend was held along that line of unexplored country.

Having been removed from political employment by the precipitate injustice of Lord Auckland, Major Todd proceeded to join his regiment at the Head-quarters of the Artillery at Dum-Dum. "Equal to either fortune," he fell back upon the common routine of regimental service, and, in command of a Company of Foot Artillery, devoted himself with as much earnest and assiduous zeal to the minutiæ of military duty, as he had done, a year before, to the affairs of the Herat mission. It has often been said that political employ unfits a man for regimental duty. Major Todd was an example—and others might be quoted—of the utter fallacy of their assertion. From the time that he first rejoined his regiment to the hour of his death, he never slackened in his attention to his military duties; and, perhaps in the whole range of the service, there

* It has been said, that Major Todd supplied inaccurate topographical information to Sir John Keane's army; that the route, which he furnished, misled that commander in one most important respect. Todd spoke of Ghuzní as a place of no great strength; and conveyed an impression, if he did not actually state, it might easily be carried without the aid of a siege train. The route was published, some three years ago, in the Journal of the Asiatic Society of Bengal; it is there open to all the world. A similar report was given by Lieutenant Leech, of the Bombay Engineers. Perhaps, neither the Artillery nor the Engineer calculated on such an advantage being given to the enemy, as the halt at Kandahar: but even after the capture of Ghuzní, Sir John Keane pronounced it a "shell of a place." Tradition declares, that he used another word even more significant.

was not a more zealous, a more assiduous—in other words, a more conscientious regimental officer than the *quondam* political agent at the Court of Herat, and the old antagonist of Yar Mahomed. We have dwelt upon this circumstance more emphatically than some may think the occasion warrants; but the trait of character which it illustrates is a rarer one, than many may have supposed. "Nothing in his (political) life, became him like the leaving of it." There are few amongst us who know how, gracefully, to *descend*.

It is not improbable that these years of regimental duty were the happiest period of his life. Shortly after his return to the presidency, from which he had so long been absent, he married; and in the enjoyment of domestic happiness, such as we have rarely seen surpassed, he soon forgot the injustice that had been done him. Cheerfully doing his duty in that state of life to which it had pleased God to call him, respected and beloved by all who had the means of appreciating the simplicity of his manners, the kindness of his heart, the soundness of his intelligence, and the integrity of his conduct, he found that, in exchanging the excitement of a semi-barbarous Court for the tranquillity of cantonment life and the companionship of a gentle and amiable wife, the barter, though not self-sought, had been greatly to his advantage.

Being appointed to the command of a Horse-field battery, stationed at Delhi, he left Dum-Dum for the imperial city, where he continued to serve, until, shortly before the Sikh invasion, he attained that great object of regimental ambition, the command of a troop of Horse-Artillery. In the upper provinces, he had more than once been disquieted by the illness of his young and fondly loved wife; but the heavy blow, which was to prostrate all his earthly happiness did not descend upon him, until within a few days of that memorable 18th of December, which saw the British army fling itself upon the Sikh batteries at Múdkhí. It was at Ferozshahur that Todd, broken-hearted, with a strong presentiment of his approaching end, perhaps, in the extremity of his anguish, scarcely wishing to escape destruction, led his troop into action and perished in the unequal conflict,* and among the many, who fell on that mournful day, there was not a braver soldier or a better man.†

* A round shot from the Sikh batteries, we believe, carried off his head.

† In an article, published last year, in the *North British Review*, it is suggested, that among the papers of the late Major Todd there must be materials for a publication of no ordinary interest. We trust that his executors, or other representatives, will act upon this hint. We know that he was desirous to make a selection from his manuscripts for a publication, as he more than once spoke to the writer of this

In this imperfectly, but conscientiously traced outline of the career and character of Major Todd, we see the very antithesis of the conventional personification an "Affghan Political." And there are others, of whom the same might be said—others equally upright, equally conscientious; of equal simplicity of character. It has been our duty, one of mingled pain and pleasure, in former numbers of this journal, to write of the careers of other political officers recently numbered with the dead, and to speak of the achievements of diplomatic officers still living. What we have written regarding Macnaghten, Broadfoot, Outram, Hammersley and others need not be repeated in this place. It is enough to say, that we have our gallery of "Politicals," in which any one may wander who will. We believe that the fidelity of the portraits will meet with almost general recognition.

And yet what different pictures have been hung up elsewhere—what dark, dismal caricatures! Of these, Masson's are the most conspicuous. We had intended to have examined some of the statements of this writer; but we believe that they are now exploded fictions. Later publications, however, have recently circulated libels of a not much brighter hue; and it is with no common regret that we perceive the honored name of General Nott attached to some of these splenetic effusions. In the letters from Affghanistan of the deceased veteran, published in the *Quarterly Review*, we find the following striking passage:—

"When we arrived here the natives had an idea that an Englishman's word, once given, was *sacred*, never to be broken. That beautiful charm is gone, and every pledge and every guarantee trampled under foot. The day of retribution and deep revenge *will come*. *Come* did I say?—it is in some measure here—already the sword is sharpened, and the wild Affghan song echoes upon the mountains and in the villages—the forerunner of massacre and blood. I like these people, and would trust myself alone in their wildest mountains. When I was in Ghilzí they soon found out who protected them from plunder and oppression, and who did not. My tent was always crowded with these people, begging to do *something*—asking *what* I wanted—that they were ready to do whatever I ordered them; yet not a man could be prevailed upon to go near the prince or the political agent; and when a few work people were required for a public purpose not one could be had. A chief came to my tent and boldly said, 'After the cruel treatment we experienced before you arrived here, how can it be expected that the people will assist in building barracks? You have been just to us; say what you want for your own comfort, and we will fly to perform it' If a man is too stupid or too lazy to drill his company, he often turns sycophant, cringes to the heads of departments, and is often made a Political, and of course puts

article on the subject. Political considerations withheld him from publishing, some years ago, his experiences—interesting and valuable as they were—but he was only biding his time.

the Government to an enormous expense, and disgraces the character of his country; this has been the scene before my eyes many times since I left Hindustan. The troops I sent out to-day will put the Government to a great expense, and the poor officers and men will have the thermometer at one hundred and eight degress in *their tents*, and if exposed to the sun, one hundred and twenty and one hundred and thirty degrees, and all because a foolish Political destroyed a small village containing *twenty-three* inhabitants. And why, think you? Because he *thought—thought, mind you*—he *thought* that they looked insultingly at him, as he passed with his two hundred cavalry as an escort! Had I been on the spot, he should have had eight troopers for his protection; he would have *then* been civil to the inhabitants, or perhaps not cruel. *Fancy* a *young* Political, with two hundred troopers at his heels—why, I am in the habit of riding eight and ten miles into the country, often without a single orderly, or even my syce [groom]; I enter their gardens and their villages, and meet with nothing but civility. Again, I say that I am ashamed of my countrymen, and I prefer the much-abused Beluchi. This very morning, on the march, I heard two Englishmen, calling themselves honourable men and gentlemen, declaring that they thought every native of the country should have his throat cut! And why? Because these poor, wretched people sometimes shoot our people in defence of their *wives, children*, and property."

That there was some mismanagement in Western Affghanistan we are not prepared to deny. There was too, we believe, something worse than mismanagement, done in the name of the Shah-zadah Timur, but sanctioned, if not recommended by our political officers at Kandahar. But we protest against the bitterness poured out upon the general body of diplomatic employés in Affghanistan—the taunting insinuation that being incapable of making good soldiers they became parasites and "politicals." If a man is too stupid or too lazy to drill his company, "wrote General Nott," he often turns sycophant, cringes to the heads of departments, and is often made a "political, and of course puts the Government to an enormous expense and disgraces the character of his company." Now, we believe, that with very rare exceptions, so far from this being a correct statement of the truth, the Affghan politicals were among the best soldiers in the country. Many of them as Todd, Rawlinson, Nicolson, &c., were practised drill-instructors—had shown an especial fitness for this particular duty, in disciplining foreign troops or raw levies. And no one can forget the military services rendered by Pottinger, Macgregor, H. M. Lawrence, Mackeson, Broadfoot, Outram, and others whom we might name, in the course of the last memorable years. We emphatically declare our conviction that there are no finer soldiers in the Indian Army than many of those who have distinguished themselves, since the commencement of the Affghan war, under the unpopular designation of "Politicals."

R. P.

Dr. MacGregor speaks of the Kabul disasters and attributes them to the incapacity of our political officers—but what reason have we to suppose that if MacNaghten had been at Calcutta and Burnes at Bombay, our ill-fated army would not have perished in the Kabul passes? All are now in their graves—the political and the military chiefs. Their conduct has become history, and we may comment upon it without reservation. Even Dr. MacGregor admits, that the "energy and spirit of MacNaghten, as an adviser in military matters, were conspicuous." It is, unfortunately, too true, that this energy and spirit, so conspicuous in the civilian, were wanting in our military chiefs. Had MacNaghten not been at Kabul, there is reason to suppose that our disgrace would have been still more ignominous—our discomfiture even more complete. Did the envoy and his assistants damp the martial energy or impede the vigorous movements of the military commanders—did he counsel, in opposition to their heroic aspirations, a more timorous course of procedure than that, which they were eager to adopt? Is it possible to conceive, that if the entire conduct of affairs had been left to General Elphinstone, the calamity, which swallowed up our army, would have been averted. General Elphinstone was a perfect gentleman. He was prevented by physical disqualifications from being a fine soldier. That, if his constitution had not been broken down by long-standing chronic disease, he would, in Europe at least, have shone, as a fine, frank-spirited, soldierly veteran, as well as a polished gentleman and a most agreeable companion, we can perceive no just grounds for questioning. But in Affghanistan he was miserably out of place—and would have been in a still more lamentable position had his powers and responsibilities not been limited by the presence of the political minister at Kabul. He knew as much about the language, the country, the character of the Affghans as any school-boy, fresh from Eton; and would not have been an iota better qualified to negociate with the Mussulman chiefs than one of these gentlemanly striplings. All this is so obvious that it would seem to be unnecessary to insist upon such palpable truisms; but when we see writers discanting on the advantages of military supremacy, and referring triumphantly, in proof of their assertions, to the Kabul catastrophe, we are driven to enquire whether the supremacy of Elphinstone and Shelton, our military commanders, would have done more for the country, in that disastrous winter of 1841-42, than that of MacNaghten and Pottinger, the much-censured political chiefs.

It may be asserted that the case of General Elphinstone was

a peculiar case.—If so, why should it be quoted against us? It *was*, assuredly, something very peculiar that such an officer should have been selected to take command of the army in Affghanistan—but we are afraid, that so long as the present system of appointment to high military command continues in force, we shall be startled by the appearance of many such peculiarities. The appointment of General Elphinstone to the command of the Kabul army is not the only case on record of glaring incompetency in a high and responsible position. As it is not the first, it is not likely to be the last. So long as Queen's officers, who have never served for a day in the east, are sent out to India to take command of our divisions, perhaps of our armies, we must expect to see occasional instances of this description of peculiarity. A man may be a very distinguished officer, and yet glaringly incompetent to take upon himself, the responsibility of conducting affairs in a strange country, and negotiating with a people of whom he scarcely knows any thing even through the medium of books.

And the truth is not to be disguised, that many very gallant soldiers are desperately bad politicians—that the officers, who are most competent to fight our battles are not always the best qualified to direct our councils. Indeed, experience has abundantly shown that the utility of a military commander in the field is often greatly restricted, when he has not only to determine how to fight a battle, but when, why, and wherefore, to fight it. Many very gallant soldiers are oppressed—almost overcome by the sense of political responsibility.* It is right that they *should* be sensible of the responsibility—for one unnecessary action fought is a great crime committed; and it is obvious that a military commander in the field has enough to do without taking upon himself the duties of a councillor of state.

Dr. MacGregor refers, with seeming approbation, to the proceedings of Sir Charles Napier in Sindh; and is of opinion that when the British troops crossed the Sutlej, the subsequent conduct of affairs ought to have been entrusted to that officer. He, at least, had no fear of responsibility. He plunged as boldly into politics, as he led his battalions to the charge. But we could scarcely have desired, and we assuredly could not have selected, a more striking instance of the inexpediency of combining political and military functions in one person, than

* The late Sir Robert Sale, a soldier, as all the world knows of distinguished courage, never appeared to so little advantage, as when unaccustomed responsibility was thrust upon him. Action was his element; in deliberation he was another being.

that presented by the conduct of Sir Charles Napier. The result is not a single catastrophe, like that of Kabul; it is a perennial calamity. Sir Charles fought the Amírs of Sindh like a hero; and treated with them in a way the most un-heroic. The Talpúr rulers were expelled from their dominions; and England acquired a standing curse:—

"Yes; 'tis the eternal law that where guilt is sorrow shall answer it."

Sir Charles Napier's policy has saddled England with—*Sindh.* No expletives need be employed; we know no cluster of words so expressive as that monosyllable.

When the question of the combination in one person of the functions of the military commander and the political minister is discussed, the case of Sir Charles Napier should be held up not as an example but a warning. Why, no one who has read the speech delivered by the present Lord Grey, on the occasion of the proposed vote of thanks to Sir Charles and his army will ever ignorantly inquire. In that speech, were expounded principles, which ought never to be lost sight of in the discussion of such a question as this. Whether an old soldier is more likely than a young "political," to engage in unnecessary hostilities is a question, which we need not discuss. Our own opinion is that he is not. But apart from this consideration, it is obvious, that neither on his own account, nor that of the state, ought he to be placed in a position, which, whatever course he may adopt, may expose him to a degrading suspicion. If he tread the path of peace, where an opportunity for fighting presents itself, he may be suspected of an excess of prudence to which some may apply the harshest word that ever grated on a soldier's ear. If on the other hand, he fights a battle, when he might preserve peace, he exposes himself to a suspicion of being actuated by a desire after self-aggrandisement—by a hankering after fame with all its appendages of titles and distinctions, pensions and prize-money, votes of thanks and glorifying gazettes.

Assuming that no commanding officer is ever swayed by such considerations—the former we may discard at once as impossible, the latter we may pronounce at least improbable—it is neither impossible nor improbable that the fear of being suspected of unworthy motives, in one direction or the other, may sometimes impel a military commander, when left to decide between peace and war, to commit himself to the wrong course of action. Nor is it improbable that the necessity of so deciding may sometimes greatly diminish his utility as a military leader by engrossing his mind with political reflexions at a time when it ought to be left free to the consideration of purely military

measures. Besides, as we have before said, political responsibility often un-nerves the soldier's arm.

Much of the odium which attaches to the system of political agency, in hostile or unsettled countries, grows out of a conviction—at one time, at least, very largely entertained—that young, inexperienced, incompetent diplomatic officers have controuled the proceedings of skilful veterans. This is, for the most part, a mere figment of the imagination. Many of our political officers, and not the worst of them, have been regimental subalterns. What of that? In India there are grey-haired subalterns. In a seniority service a captaincy is a thing of slow attainment. The regimental subalterns, who distinguished themselves, in Affghanistan, were soldiers of twelve, fifteen, perhaps eighteen years' standing. They were mostly some ten years older than Napoleon, when he commanded the army of Italy, or the younger Pitt when first appointed Prime Minister of England. It was the fashion to call them "boy politicals," "sucking politicals;" their subalternship was a great offence. But it appears to us—and heterodox though the opinion be, we are not ashamed to acknowledge it—that the very circumstance of the political system elevating comparatively young men to high and responsible positions is one of the strongest arguments that can be adduced in its favor. But for the much-condemned system no amount of ability could make way against the depressing effects of a levelling seniority service. In the armies of Europe extraordinary merit will rise to high command. In India, no amount of military ability can raise a man to high military position. He can only rise by slow gradation. But the political system opens out to our younger officers a theatre on which superior energy and ability may advantageously display themselves; and enables captains and subalterns to make for themselves niches in the history of the world.

Against this a very old, and in some cases a very cogent argument will, we doubt not, be directed. It may be said, that it is not by merit, but by interest, that political appointments are obtained by the younger officers of our army. General Nott appears to have been of opinion that sycophancy was the surest stepping stone to such promotion. This error is, we are happy to say, now nearly exploded. What but merit raised such men as Burnes, Lord, Pottinger, Broadfoot, Nicolson, and others now no longer amongst us? To what but merit do Outram, Lawrence, Mackeson, MacGregor, Abbott and other men of the same approved stamp, owe their elevation?

A familiarity with the native languages, some experience at

native courts, a travelled acquaintance with the geography and statistics of the country in which he is to be employed, with a knowledge of the national character, the customs and manners of the people; a general intelligence and soundness of discretion are no bad qualifications for political employment. When these are possessed by officers, though of no elevated military rank in the very vigour of their manhood, it would be difficult to name any class of men to whom the conduct of our political negociations could be more safely entrusted. Possessed as they are of the views of the Supreme Government, in constant correspondence with the secretaries of state, the political agents, though sometimes called upon to decide with promptitude upon the line of action to be pnrsued in a sudden emergency are for the most part little more than an executive body. They are the representatives of the Governor-general—the exponents of his opinions—the agents of his policy. They have no military duties, no military responsibilities to impair their efficiency as diplomatists, by warping their judgment or engaging their attention. Even assuming what is very improbable that the military commander is possessed of the same especial qualifications as the political officer, still, *cæteris paribus*, the latter must be the more efficient, as a diplomatist, as all his time and all his attention are devoted to the political bearings of the affairs in which he is engaged, whilst the former is necessarily occupied with military details and can not devote sufficient time and attention to the duties of the political department without impairing his efficiency as a commander.

It was once the fashion to speak of political agency as a drag impeding the free movements of our military chiefs, and making them stumble into all sorts of destructive failures. Lord Ellenborough did much, in his time, to countenance this opinion; and yet no man could have known better than he what were the services rendered by our political officers in Affghanistan. He at least was not unmindful of the claims to a nation's gratitude of that illustrious garrison, which so nobly defended Jellalabad; but, with an amount of prejudice and injustice, such as has seldom been brought to bear even upon this subject, he systematically neglected one of the noblest of that little band of intrepid warriors, *because he was a political agent.* No jealousy on this score existed in the garrison; and, Sir Robert Sale, to his honor be it said, even bore testimony, like an honest man, to the important services which had been rendered to him by the young "political," throughout that long and perilous season of beleaguerment: and on one memorable occasion, significantly

rebuked the studied neglect of the Governor-general, who had lauded all but MacGregor, by proposing, at his lordship's own table, the health of the man to whom he was so deeply indebted. We need not dwell upon the services rendered by MacGregor at Jellalabad. They are too well known to demand from us more than a passing allusion. We would wish, however, that in this place our readers should call to mind all that they know, without our telling, on this subject; and then ask themselves whether the illustrious defence of Jellalabad would not have wanted something of its lustre, if MacGregor had not been there. If of such materials are forged the drag chains which impede the movements of our military commanders, may our chiefs never go into action without such fetters on their limbs!

The merits of Major MacGregor, so studiously overlooked by Lord Ellenborough, have been recognised by Lord Hardinge. Major Mackeson, another neglected "political;" a man of rare merit, who has rendered signal service to the state, has also been drawn from his obscurity by the same discriminating hand. Of the services of this officer the author of the work now before us gives the following account, which is not, however, very perfect in all its details:—

"For a period of fifteen years had this talented officer been employed in various situations on the north-west frontier, sometimes. it must be confessed, of little importance in a political point of view, and still less in a pecuniary one; but whether as superintendent of the navigation of the Indus in the hot and sickly locality of Mittenkote, commanding a band of unruly Sikhs in Affghanistan, or employed in the humble capacity of tax-collector in the desert, Major Mackeson invariably manifested the same zealous and conciliatory disposition. When returning from Affghanistan, where his conduct had been rewarded by a brevet-majority and a companionship of the Bath, so little was his intimate acquaintance with Sikh affairs appreciated, that he was not even appointed to a subordinate place in the political arrangements of the north west frontier; but obliged to fall back upon the only appointment which he could hold as a regimental officer: namely, interpreter and quarter-master to a Native infantry regiment! This would have disgusted most men, but a patient forbearance and determined zeal were strong features of his character. He made no remonstrance, but submitted patiently; and had it not been for the efforts of Mr. Clerk, Major Mackeson, C. B. might actually have been interpreter and quarter-master of the 14th regiment of Native infantry, to the present moment! Through the influence of Mr. Clerk, however, he obtained the appointment already alluded to at Sirsa, which he retained until the serious aspect of affairs on the north-west frontier appeared to open a field wherein he might be usefully employed.

He was now brought from his seclusion, and the whole management of the confiscated Sikh states on the left bank of the Sutlej entrusted to him. That he was well adapted for this important office no one can doubt; but we suspect had his own wishes been consulted, he would have preferred the management of affairs with the Sikhs."

After speaking of Major MacGregor, the author adds, "Captains Mills and Cunningham, with Lieutenant Edwardes, Messrs. Vansittart, Agnew, and Cust, now complete the *corps diplomatique* for the management of the North-West frontier of India, whilst Mr. John Lawrence has been appointed a Commissioner in the newly acquired Doab of the Jalindhar. A more efficient body of men could not have been selected. Their appointment reflects the highest credit on the discrimination and judgment of the Governor-General, for on merit alone did he rely in his choice." To these good names we may add that of Captain James Abbott, to whom full justice has never yet been done. The "hair-breadth' scapes" on his journey from Herat to Europe detailed with so much romantic *naiveté* in one of the most interesting books of travel which we ever remember to have read, show the perils which he encountered in a service, which may fitly be described as one of the purest humanity.* An accident—one of those annual accidents which fill the royal quiver with princely arrows—alone deprived him of the honors, which were subsequently bestowed upon another—a brother-officer, who followed in the way which Abbott had made ready before him; and it is not one of the least noble traits of the latter's character that he never regarded his successor with envy, but rejoiced in his superior success.

And this brings us by an easy transition, to the last point which we purpose to discuss. So painful a retrospect does it involve that not without reluctance do we enter upon its consideration, even at the close of our article. Among other taunts which have been levelled at our political officers is one, which if it does not amount to a charge of cowardice, certainly has gone to the extent of an accusation implying a lamentable want of spirit. Nay, indeed, if we are not mistaken they have been spoken of as "chicken-hearted politicals." We do not believe that the charge is one, which, in these days, any writer would deliberately advance, but it *has been* advanced; our political officers have been sneered at as men wanting in those qualities which render soldiers fit for what are called the "active duties of their profession;" men better disposed to negociate than to fight; to violate a harem than to enter a breach. It was even hinted that by entering the political department these officers escaped the perils incidental to regimental duty—that on becoming diplomatists they became

* They who associate the name of a political agent with ideas of black-hearted treachery and blacker cruelty would do well to ponder over *this* mission. We know nothing more creditable to the character of the British Empire in the East.

civilians and had nothing of the soldier left. "Had they continued," says one of the most temperate and candid of the opponents of the political system, "to act in their military capacity, there is no reason to doubt that they would have done no discredit to the service from which they had temporarily in some measure been withdrawn." If they were dishonest "politicals," they could never have been good soldiers. This much at least is clear. But what we now desire to show is that these men, if they do not live like soldiers, *die* like soldiers—many of them with their swords in their hands.

Of the long list of "Affghan Politicals," how many now survive? The political service has been and is emphatically "a service of danger." In Affghanistan, the whole "department," from Macnaghten down to the younger Burnes, with but few exceptions, perished. They who distinguished themselves in the opening, and they who distinguished themselves in the closing scenes of the great Affghan drama, have all alike been swept clean away. Burnes, Lord, and Leech—where are they? The first murdered at Kabul; the second killed in action at Purwan-durrah; the third, too, among the departed. Nothing is left of this first mission. The second fared little better. The list of names, which next presents itself is that which is appended to the manifesto of 1838—Macnaghten (Burnes,) Pottinger, Todd. Not one survives. Macnaghten was assassinated at Kabul; Pottinger, after an almost miraculous escape from Charekur, returned a cripple to India, with a constitution broken down by the hardships he had undergone; and soon found a grave in one of our newly acquired Golgothas; Todd died the soldier's death, at the head of his troop, in the memorable action of Ferozshah. The Conollys have all perished. Edward was shot through the heart, at Tútun-durrah when acting as aid-de-camp to Sir Robert Sale. Arthur was miserably murdered, under circumstances of almost unparalleled atrocity at Bokhara; John died in captivity at Kabul. Another triad of Horatian brothers shared the same dark fate. The Broadfoots all died bloody deaths. One fell, in battle, at Purwan-durrah; a second was slain at Kabul; the third, the last, the noblest of the brotherhood died a "political," but all in all a soldier, at Ferozshah. There too fell another of the old band of Affghan politicals—Captain Peter Nicolson, one every inch a soldier;* and there, writes Dr. MacGregor,

* Of this officer Dr. MacGregor writes:—

"This energetic officer lost no opportunity of making himself thoroughly acquainted with Sikh affairs, and their actual position at Lahore. Though appointed to another office, he kept his place, and watched with intense interest the coming events, the progress of which he

"with the exception of Captain Mills, who took the command of a troop of horse artillery, all the political agents were either killed or wounded in this fierce struggle, shewing by their death and example, that though employed in diplomacy the daring bravery of the British soldier had been in no way diminished."

Many other names might be added to this list of departed politicals—Rattray and the younger Burnes killed at Kabul; Loveday murdered at Khelat; Stoddart barbarously executed at Bokhara; Ross Bell destroyed by the climate of Sindh. Treacherous murder, wasting captivity, death in battle, execution by the headsman, such are the perils, which environ the life of the political officer in the East. Perils such as these, some, by an interposition of providence little short of miraculous have escaped; as Abbott, Outram, Bean, Mackenzie, George Lawrence, and more recently Colonel Ovans in the Kolapúr country. Such instances drawn from recent history amply demonstrate that the life of a political agent is not one of inglorious ease—that the dangers which beset the path of the soldier are shared, and in more than equal proportions, by his "chicken-hearted" diplomatic brethren. But the history of India from the first foundation of our Eastern empire teems with similar illustrative examples. From an unpublished paper in our possession we make the following extract, relating to this interesting subject; appending thereto some concluding reflexions, from the same source, on the general subject of Affghan diplomacy:—

"From the day that Mr. Watts with his loins girt for flight, negotiated for Clive with Mír Jaffier at the Durbar of Surajadowla, to the day that Outram bearded the assembled Beluchís at Hydrabad, diplomacy has been in India a difficult and a dangerous game: not because Britons cannot meet Indians in the cabinet as well as in the field, but because diplomacy has only, or at least usually, been had recourse to by us when we felt our temporary weakness; and because we trusted our Envoys to barbarians, as we would have trusted them to civilized people. In the abstract, Asiatics *do* re-

communicated to his superiors, who, it is said, acknowledged his vigilance by calling him 'an alarmist!' How he merited this, results have shewn;—When the Khalsa troops were actually marching on the Sutlej, Captain Nicolson could not possibly mistake their intentions, nor forget his duty so far as to conceal his belief that they would soon cross the river into the British territories. His position gave him the best opportunities of receiving correct information, and if he supplied this to his superiors, and took measures for guarding against any sudden inroad on Ferozepore, he performed his duty as a faithful servant to the state. As in the case of Broadfoot, we have no means of ascertaining the real merits of the case; and Nicolson, like his superior, falling in the field, had left to others the task of doing justice to his acts. He had been trained in the political school, and his intercourse with the Affghans, and particularly with the Amír Dost Mahommed (whom he conducted to Hindustan and again back to the left bank of the Sutlej), rendered him a man unlikely to be prematurely alarmed, or circumvented by the Sikhs."

cognize the sanctity of Ambassadors, yet we have repeatedly experienced their perfidy, and have had proof on other occasions, that nothing but fear deterred native durbars from acts of violence and treachery. Scarcely a court in India, but has shewn its disposition to violate the immunities belonging to the ambassadorial office and character. It will be remembered how Tippoo Sultan, in the year 1784, erected three gibbets before the tents of the British Commissioners in his camp.* Elphinstone tells us, that when at Peshawur he was safe from attack from the rulers of the day, but that any faction would not hesitate to assail or plunder him. Metcalfe was actually attacked in the Punjab, by a desperate band of Akalís. The resident at Scindiah's court, (Colonel Close, we believe,) was long kept under restraint in that chief's camp. Colonel Low, within the last few years, was actually for a time in the hands of the insurgent populace of Lucknow; his assistant, Captain Patton, was trampled under their feet, and his life repeatedly threatened. The attacks on the Residencies of Púnah and Nagpore are matters of history, as well as the recent one on Major Outram at Hydrabad. We have then, Mr. Frazer, the Governor-General's Agent, assassinated at Delhi; his assistant, Mr. Blake, murdered at Jeypore; and the Agent of the Governor-General, Major Alves, cut down in the Jeypúr Rajah's Palace, and a medical officer, whose name we forget, cut down in Kutchery, at Sagor. We have Ochterlony cut at by an Akali in the Sikh states; Mr. Edgeworth, ten years ago, obliged to fly for his life in the same country; and again, scarce a twelvemonth since, Mr. Greathed necessitated to do the same.† We have had Colonel Pottinger pelted in the streets of Hydrabad (Sindh);‡ and then we have the whole catalogue of Kabul murders. All these occur to us, as examples of the nature of political duties in India; and are sufficient to convince the most sceptical that the diplomatic department is not in the East a bed of roses; and that entailing as is does, the labours and responsibilities of the bench and of the magistracy, it adds to them all the dangers of the soldier's life; making it unlikely that nervous or ease-loving men should desire such positions, or that any but Soldiers and soldierly Civilians, should be qualified for them." * * * * *

"Indian politicians heretofore bore a high character; the English press believed them to be men selected for ability

* And how, in 1799, Mr. Cherry was assassinated by Wuzír Ali, at Benares.

† This was written in 1841.

‡ And, we may now add, Major Lawrence, pelted with brick-bats at Lahore.

and character; and, with all that has been said against the Affghan portion, we cannot find that they were chosen by any new rule, or that, being (as Doctor B—— says) "selected chiefly for their proficiency in languages and knowledge of the country; and as these accomplishments did not necessarily imply the possession of a high order of intellectual endowment, &c., they were often found deficient." Grant that it was so, still can Dr. B—— give any better criterion for selection, than respectable soldiers, acquainted with the country and its languages? He knows better; and the fact is, that never were appointments less jobbed; wise men and foolish men, and perhaps wicked men, were among those who went to Affghanistan; but in the list of thirty-two offered by Dr. B—— there was more talent, more practical ability, than in any equal number of public servants taken at random in India. Men went to Affghanistan to work and to act, not to sit down and eat the bread of idleness; the rough and ready volunteered for the service, the sluggards staid behind; or going against their will maligned their more intelligent and more active comrades." * * * * *

"Of those who acted immediately under the Envoy at Kabul, where, without exception, they heartily co-operated with that lamented officer during the last dark days of the beleaguerment, and of whom with their chief we have alternate accusations of interference and inefficiency, we may safely assert that they were all men who never shrunk from offering fearless and explicit counsel, or from volunteering to carry out the boldest measures they proposed. The terrible exigencies of that time called forth not only the noble and manly characteristics of the soldier, but in a most honourable way the endearing qualities of private character. We have Lawrence at one time rescuing the captives by the charge he made with the body guard; at another, cooking arrow-root for the children, and looking out his flannel waistcoats and other clothes for the ladies. There was John Conolly, who, young as he was, gave the best advice, "concentrate in the Bala Hissar," and who throughout the captivity won all hearts by his loveable character. Pottinger who, himself wounded and nigh unto death, refused to seek his own safety on that memorable night when he escaped from Charekar to Kabul, by deserting his helpless comrade,—the man who defended Herat and stood out manfully at Charekar, and who under Providence mainly conduced to the release of the captives at Bamean. Last, but in prowess and chivalrous conduct not least, we have Capt. Colin Mackenzie, of whom in Eyre's

and Lady Sale's book we find constant honorable mention, from the day that with a handful of Affghans he held for three days his untenable post in the heart of the city of Kabul, to the occasion on which he stood up in the council of war and checked those who came there to insult and thwart the gallant and ill-fated Envoy, instead of to support his counsels or offer better of their own.

"To them as to others their military companions in captivity might well be applied what Coleridge says of Cervantes during his captivity among the Moors, he endured captivity not only with fortitude but with mirth, and by the superiority of nature, mastered and overawed his barbarian owner.

"The untimely death of Pottinger adds tenderness to the interest with which we treasure up all recollections of him. In turning over the leaves of Mr. Lushington's book* we were struck, at page 140, by the sadly true words, speaking of the departure of our troops from Kabul, "Systematic plan for providing the troops with shelter, there was none." These recalled the very last conversation we ourselves held with Pottinger before his quitting India, and we mention the subject to shew how willing and able he was not only to advise large and uncompromising measures, but likewise to enter into minute details—the one, alas! as unavailingly as the other.

"Major Pottinger told us that when the retreat was decided on, and no attention was paid to his, Lawrence's and Conolly's advice to concentrate in the Bala Hissar, urged the officers to have all the old horse-clothing, &c., cut into strips and rolled round the soldiers' feet and ancles, after the Affghan fashion, as a better protection against snow than the mere hard leather shoes. This he repeatedly urged but in vain, and within a few hours the frost did its work. Major Pottinger said that there was not an Affghan around them who had not his legs swathed in rags as soon as the snow began to fall. Such men are not forgot as soon as cold.

"In the tenor of these remarks let us not be mistaken. Again we say that nothing would please us more than a publication of what is ascertained, and a further (open) enquiry on the conduct of all employed in Affghanistan; but until such enquiry is instituted and facts are made known, let us not condemn men unheard on fanciful theories, that one side of a man's face may be black, the other white,—that a man may lie and deceive in one case or position which we know him to be incapable of doing in another. Do not let us believe

* A great country's little wars.

that an honourable man will act dishonourably. Having *proved* that any have *knowingly* and wilfully perverted the truth, or knowingly acted against the right, let us call them by their right names—" Scoundrels." But as we would be judged ourselves so let as judge, and give previous character the weight in doubtful questions that it has in every court of justice.

"It is not by exaggerations, by sophistry or by partizanship that the truth is to be furthered ; let it be proved calmly and dispasionately, that as the policy was erroneous and its results unfortunate, so were the actors wicked men led away by their passions and let them be condemned. But if it be only ascertained that, with many wise and many good men, they discerned a great danger impending over India, and that in the steps taken to obviate it, they saw nothing dishonourable, then let them at least rest in their graves as men who, having done their duty according to the light that was in them, fell honourably at their posts in an unsuccessful cause."

Little need be added to this. In the foregoing article we have mainly confined ourselves to the consideration of the military relations of our Political agents. We have scarcely spoken of them at all in their purely civil capacity—but it is in this capacity, after all, that gallant souls, though they be, their services have been most conspicuous—services, to be remembered to all time, as rendered in the great cause of universal humanity. Laden with contribution to the store of a nation's blessings have their services been. To the unfailing benevolence and the untiring energy of such men as Wilkinson, Melville, Pottinger, Sutherland, Sleeman, Ludlow, Macpherson, and others are we indebted for many of those great philanthropic reforms, which it has been our delight to dwell upon in these pages—such as the suppression of Thuggee, Suttee, Infanticide, Human Sacrifice and other abominations. And, although Dr. MacGregor seems to think that superior wisdom would have been exhibited by Lord Hardinge if he had entrusted after the victory of Sobraon the future management of affairs in the Punjab to Sir Charles Napier, we may, without much temerity, venture to predict that from the benevolence, the energy, the sagacity of Colonel Lawrence and his associates, now the virtual ministers of Lahore, a rich harvest of blessings to the Sikh nation will, in God's own time, cover the long curse-ridden country of the Five Rivers.

ART. II.—1. *Copy of Railway Reports from India. Presented to Parliament by H. M.'s command.*

1.—*Letter from the Government of India in the Legislative Department, dated 9th May,* 1846.

2.—*Report by Mr. Simms, and Capts. Boileau and Western, dated* 13*th March,* 1846.

3, 4, 5.—*Minutes by the Hon'bles Sir T. H. Maddock, Knt., F. Millett, and C. H. Cameron.*

6.—*Minute by the Governor-General of India.*

2. *Report of R. Macdonald Stephenson, Esq., Managing Director, to the Chairman, &c. of the East Indian Railway Company.*

3. *Report upon the Project upon the Dock and Diamond Harbour Railway Company, by F. W. Simms, Esq., Consulting Engineer to the Government of India, &c.*

4. *Indian Railways. By an Old Indian Postmaster.*

5. *Letter to the Shareholders of the East Indian and Great Western of Bengal Railways. By one of themselves.*

6. *Report on the application of Railway communication in India, by Capt. Western, B. E. from Friend of India, March* 23*d,* 1843.

7. *Railways in England and France, by David Salomons, Esq., pp.* 77, *London* 1847.

8. *Papers Illustrative of the Prospects of the Great Indian Peninsular Railway Company. Bombay, September,* 1846.

9. *Two Letters on the advantages of Railway Communication in Western India, addressed to Lord Warncliffe, by T. Thos. Williamson, Esq., C. S. pp.* 119.

IN our recent article on the subject of Indian Railways, we mentioned our wish to have postponed its consideration, until the publication of the Report of the Railway Commission appointed by Government; but we otherwise determined, in consequence of the number of projected Railways before the public, on which it appeared expedient that we should offer an opinion; and we believe we exercised a wise and popular discretion, and may now be excused remarking that generally our views corresponded with those which afterwards appeared in the Report of the Railway Commission. We impugned the schemes which have been treated by the Commission as either not within their province or as unworthy of consideration. We anticipated the condemnation of the Northern and Eastern. The

Great Western we regarded favorably, precisely in the limited point of view in which it is sanctioned by the Commission, that is, as a branch line; and we supported the paramount claims of the proposed grand trunk line, on account of its political importance, as Lord Hardinge has subsequently done. Thus corroborated in our past views, we proceed to our present task with increased confidence. At the time we are writing there is, we fear, little probability of any of the Indian lines being immediately undertaken. We regret to consider them as put in abeyance, by the embarrassments and solicitudes arising from the extraordinary claims made on capital to provide food and work for the Irish people: yet indulging the hope of better times at no distant period, the subject appears to us of instant and undiminished importance, and we return to it confident that it will still attract a considerable share of attention on the part of the public, and that a general view of what has been written and done since our former article, will be acceptable.

To begin with the Report of the Railway Commission. Its importance would induce as to give it *in extenso*, as it decides, we apprehend, conclusively several important questions; but the nature of our publication will permit our giving only copious extracts and an abridgement. But first, a few words as to the circumstances which led to the appointment of the Commission. The Court of Directors, called upon to sanction the establishment of Railways in India, found doubts raised on many grounds, chiefly, we believe, among that very *statu quo* class, the circle of "old *Indians*," whether, in India, the introduction of a system of railways was practicable. At the same time various lines were competing for precedence, and neither the Court at home, nor the Government here, had the requisite information to decide between them. These circumstances, added to the habit of caution and a constitutional jealousy of innovations, some may say improvements, induced the Court to determine on appointing a Commission, with a Civil Engineer at its head, to investigate and report its opinion on these questions; and it was so fortunate as to engage the service of Mr. F. W. Simms, a gentleman whose eminent qualifications are too well known to need our eulogy, and who, with the distinction of having earned by a life devoted to practical science the confidence of the most eminent members of his own profession in England, enjoys also the respect here of that branch of the public service which would have regarded as anomalous the appointment of a less eminent person. On Mr. Simms's arri-

val in India two Officers of the Bengal Engineers were associated with him; and under instructions of a general kind from the Court of Directors, together with other instructions from the local Government, they proceeded on a tour from Calcutta to the Upper Provinces, making such *detours* as they deemed proper, for the purpose of ascertaining the nature of the country, and on their return in March 1846, they made the Report, which we shall now proceed to analyze, and offer some remarks upon.

The Report begins as follows:—

"1. We have the honor to submit our report upon the practicability of introducing a system of railways into India, and of their application to the peculiarities and circumstances of the country and climate: to answer the questions relative thereto, as proposed in the minutes of the Honourable the Court of Directors, of the 7th May, 1845, and likewise to make our report from a personal examination of the country, upon the direction of a line to be recommended for a railroad from Calcutta to Mirzapore and the North-West provinces."

Paragraph 2d expresses the opinion of the Commissioners as to the practicability of establishing Railways in India:—

"2. We would commence by stating our opinion that railroads are not inapplicable to the peculiarities and circumstances of India, but on the contrary, are not only a great desideratum, but with proper attention can be constructed and maintained as perfectly as in any part of Europe. The great extent of its vast plains, which may in some directions be traversed for hundreds of miles without encountering any serious undulations, the small outlay required for Parliamentary or legislative purposes, the low value of land, cheapness of labour, and the general facilities for procuring building materials, may all be quoted as reasons why the introduction of a system of railroads is applicable to India."

The Report next adverts to the difficulties suggested by the Court as peculiar to the climate and seasons of India. They are —1. Periodical rains and inundations; 2. The continued action of violent winds and the influence of a vertical (tropical?) sun: 3. The ravages of insects and vermin upon timber and earthwork: 4. The destructive effects of the spontaneous vegetation of underwood upon earth and brickwork: 5. The uninclosed and unprotected tracts of country through which railroads would pass: 6. The difficulty and expense of securing the services of competent and trustworthy engineers.

These difficulties well and fairly put, are disposed of by the commissioners in a concise, business-like, and, as appears to us, satisfactory manner. 1. As to the periodical rains and inundations they say:—

"We do not expect that, with a judiciously selected and well-constructed line, any serious mischief to the works may be anticipated from this cause, nothing but what a moderate annual outlay will set to rights. The

practicability of keeping a railway in order is shewn by the existence of bunds and roads, both metalled and unmetalled, in various parts of the country, which are kept in order at a trifling outlay, It must, however, be borne in mind, that, although this opinion is based upon what we have ourselves witnessed as the effect of a season when the floods were unusually high, both in Bengal and the Upper Provinces, yet, in after years, unprecedented inundations may occur, causing serious damage to works which shall have been constructed with a view to resisting only the highest floods hitherto known "

That is, as we understand, a railway in the Lower provinces, where alone this class of dangers exists may be securely constructed upon raised bunds or embankments, and these may be kept up at a moderate annual outlay. But the selection of the line is very important, and of course a line could not be considered as judiciously selected, if from the nature of the country along any part of it, it could not be protected or constructed beyond the reach of danger. This is a circumstance which should make the public very cautious of railway projects in the Lower provinces. 2. As to the continued action of violent winds and a vertical sun, the Report says :—

" Suitable arrangements in the construction of the works will overcome any difficulty arising from these causes as to the line itself. These effects will be more felt in working the trains, especially the wind, at high velocities, but no fears need be entertained upon this subject as to the ultimate result, though, during the prevalence of the hot winds, more than usual attention will be requisite in watching and guarding against the effects of friction of such parts of the engines that may be exposed to the most intense heat."

These difficulties though not felt in Europe, are the common lot of tropical climates: and therefore were they greater than they are, and were they less satisfactorily met by the Report, it appears to us that considered as preliminary objections, they would be sufficiently answered by the fact that in Cuba, the Southern parts of the United States, Jamaica and some other tropical countries, railroads are already constructed or being so. 3. As to the ravages of insects and vermin on timber and earthwork, the Report says :—

" If the information we have received be correct, that the destructive action of insects upon the teak and iron wood of Arracan amounts to nothing, or next to nothing, that question is at once disposed of; but should further investigation show that such is not the fact, recourse must be had either to the use of stone, or to the employment of one or more of the various preparations for timber now in use in England, which it is probable may also be found desirable on the score of economy to render the timber more durable. This, however, at present is by no means certain. Captain Western, who has been in Arracan, states, that he would not guarantee teak as resisting damp and insects, but iron wood he knows from practical experience to resist both, and has seen a post taken up, after having been in the ground 15 years, as sound as the day it was put in.

To the earthwork no serious mischief is to be apprehended from this cause, if the overseers and labourers on the line discharge their duties in a proper manner. It is true that earthworks in the Upper Provinces, constructed in a loose soil, have occasionally been damaged by the undermining of rats, crabs, otters, or other burrowing animals, but it appears that constant vigilance would provide an effectual remedy for this, as well as for the next following difficulty."

The Commissioners have merely alluded to the method of preserving woods by steeping them in liquids. On this subject we can state, that several trials of prepared woods have been made in Calcutta, some on behalf of the East Indian Railway Company; others of the local Government; and without distinguishing between the comparative merits of the different preparations, we may state generally that there is reason to believe ants will not touch them. Besides, as the ants attack only things in a state of perfect rest, not improbably the Railway sleepers, at least, will be rendered impregnable by the motion of the trains over them: this we know to be also the opinion of a high authority in Railway matters. As to the destructive effects of spontaneous vegetation of underwood upon earth and brickwork, the unprotected tracts of country, and the difficulty of securing competent Engineers, the Report is equally satisfactory and as follows:—

"The destructive effects of the spontaneous vegetation of underwood upon earth and brickwork.—To obviate these evils nothing more is required than a faithful discharge of the duties of the overseers and labourers in rooting up every germ of such vegetation as soon as it appears. Captain Boileau suggests that the attention of the persons in charge of those portions of the line, passing through young saul forests, must be particularly directed to this point, as trees of this kind, after having been cut down to clear ways for trigonometrical operations, have been known to spring up again to an altitude of about 15 feet in two years: and in various parts of the country, the rapid growth of Palma Christi (the castor oil plant), the gigantic reed called Surkunda and Nurrul, and many other such wild productions, may give considerable trouble, though the strong roots of the latter are admirably adapted for giving stability to an earthen bank. The roots of the Peepul tree are particularly injurious to brickwork, but are tolerably easy of extraction.

The unenclosed and unprotected tracts of country.—A fence similar to our quick fences in England will answer through the open and cultivated parts of the country, which may or may not be employed through the districts covered with jungle, as circumstances may require. Such fence may be formed of the plant called the Berandu or the Mysore thorn, or the prickly pear, all of which, and perhaps many others, if kept well trimmed, would make a suitable fence. In several localities where stone is obtainable in abundance this material might, and, in certain cases, where the soil is too barren for the growth of hedges, must be used for boundary walls, and, in the vicinity of saul forests the exceeding straitness of this wood renders it particularly valuable for construction of posts and railing.

The difficulty and expense of securing competent and trustworthy engineers.—This difficulty, we make no doubt, will be overcome by a suitable

arrangement by the railway companies at an early period. Such, we should think, would be the sending a few native, or East Indian young men to England to be trained, until some engines are ready to be sent to India; upon their return in charge of such engines, and under the superintendence of one or two English engineers, there would be laid the foundation for the training of as many native engine drivers as might be required. Such native youths, while in England, should not only be instructed to drive an engine, but to repair them when out of order."

Upon the subject of the last paragraph we have a few remarks to offer. Doubtless, the first supply of skilled labour required for working railways in India, as also in the other British possessions abroad, must be brought from England. But it appears to us equally certain, that there is in India a very considerable number of persons,—Native, East Indian, and European,—ready to be taught, and who would become candidates for instruction, if it was provided for them; and the number probably much exceeds the number that could be employed for some time to come. As a ground for entertaining this opinion, we may refer to a class for teaching Architectural and Mechanical Drawing and the principles of Surveying and Mensuration, which was established in this city fifteeen months ago by Mr. Stephenson; the instruction is gratuitous; young men on applying for employment are received on condition of being regular in their attendance; and upon an understanding that they will be considered as having a claim for employment according to the degree in which they have qualified themselves; the class has always been full; and many of the students have made great exertions to support themselves, and have remained beyond the time when it was anticipated there would be employment for them.

At the same time that schools for instruction in the mechanical arts and sciences are established, it appears to us, that Government should weed out of its system every sort of discouragement to the enterprize of private individuals, and to the voluntary immigration of fresh unsunned labourers of all ages. We would suggest that it ought to withdraw from every thing like competition with them; and confine itself and its officers to their proper functions. This observation admits of a variety of illustrations. We recently were shewn by an English mechanic, to whom it was in fact a sentence of immediate banishment from India, an official copy of an order from the Court of Directors to the local Government, limiting Government employment (we are sorry we cannot quote the very words) so as to utterly exclude all recent and free emigrants, no matter how skilful as workmen. Again, we are constantly hearing of Government officers undertaking the execution of works of a public

nature for private individuals or bodies of individuals. The time is come, when works of this kind can be executed without them. Indeed we have heard of some which have been given to Government officers merely in consequence of their estimates being lower than those of the tradesmen. The effect of this undoubtedly is to diminish or prevent an increase in the number of tradesmen, and to check the immigration of fresh skill and talent. It may be said, that the public is free to employ the tradesman, that there is no compulsion, and the Government officer is preferred because his prices are more favorable. Not always so; he is sure to be preferred, if his estimates are only equal, but whether the work be usually completed within the estimated cost is another matter. If the tradesman's terms are higher than is just, the correction should be left to time and competition which are sure to correct this evil: the intrusion of the Government officer only increases the evil by preventing or postponing regular and permanent competition. Nor should Government be satisfied merely to put an end to this class of discouragements. The distribution of business in the Department of Public Works should be governed by a principle the very opposite to that which prevails at present: we mean by the principle of giving the greatest amount of encouragement consistently with the public interest, to the growth and increase of private skill, enterprise and capital. One way certainly would be to do nothing at its own work-shops and by its executive officers which it can get done by contractors or at a private establishment; and to transfer as much common work as possible from gentlemen with epaulettes wholly to the class who are exclusively mechanical. This we are satisfied would be much cheaper to Government. Private establishments would then multiply; there would be mechanics to do small jobs as well as large ones, which now there are not; there would be more skill, more capital; more public works, more improvements, and of a better kind both in design and execution: we should not hear then so often of bridges and churches, and the like, falling down while in the course of construction: the Supreme Court would soon teach the architect and tradesman that it would be ruin to themselves to be the designer or constructor of ruins, and consequently they would not undertake that for which they were unequal, and we should soon have a higher order of architects, mechanicians and tradesmen; and what is more immediately to our present purpose, there would be a public stock of engineering and mechanical talent, on which the railroads might draw when their own immediate resources became deficient. We commend these objects and

principles to consideration, not of departments, because in them we should place little hope, governed as they are by habit and tenacious of old and existing arrangements; we commend them to the consideration of the Government.

The Commissioners next refer (paragraph 5,) to the subject of the probable returns of merchandise and passengers; but state that they are unable to give any opinion, from an entire want of statistical information. In the course of this article we shall endeavour to supply some.

Having disposed of the objections arising from the climate and seasons, the Commissioners conclude this part of the subject with the following declaration:—

"With the above view of the case we should not deem it inexpedient or unwise to attempt the introduction of railways into India to any extent that private enterprise might be found willing to embark capital upon; subject, however, to whatever equitable conditions and regulations the Government might think proper to require for the promotion of their own, and the general interests of the country at large, at the same time having due regard to that of the parties engaged in the enterprise."

The Commissioners were expressly required by their instructions to suggest some feasible line of moderate length as an experiment for railroad communication in India. Accordingly the Report (paragraph 7) suggests a line from Allahabad to Cawnpore, or if this be thought too extensive, from Calcutta to Barrackpore: the former would be about one hundred and twenty six miles long, the latter fifteen miles. We regret that the suggestion is unaccompanied by any remark on the absurdity, as it appears to us, of making an experiment at great expence—to prove what? Nothing but what is already known. A person who builds a house or makes a railroad should first count the cost, and if he finds his capital insufficient for a large one, must be content with a small one: but then the small one is not an experiment. There is ample capital for a grand trunk railroad, if Government will give the necessary encouragement; and we cannot help wishing that the Commissioners had reported in answer to the requirement alluded to, in some such terms as the following:—

"We now come to that part of the minute of the Hon'ble Court, in which we are requested to suggest some feasible line of moderate length as an experiment for railroad communication in India. Before we do so, we beg to offer an explanation: the desire on the part of the Court to have an experimental line first, appears to us to have arisen out of the doubts apparently entertained in many quarters of the practicability of establishing railways at all in India: and while this remained in doubt it was natural that the Hon'ble Court

should wish only to make an experiment. But being fully satisfied, as we have reported, that railways in India are practicable, it appears to us that experimental lines, as such, are now out of the question; we may however mention the following as preferable, if it is determined to make an experimental line."

Giving the Commissioners full credit for having made the suggestion merely in obedience to instructions; the idea still requires discussion, and the more so, because we collect from the most recent advices, that it is likely to influence in an undue degree the first operations. We are not aware of any line in England which in any just sense could be said to be experimental. The first important English line was from Manchester to Liverpool; but it was an entire line, and undertaken and executed with perfect confidence of success, and not at all as an experiment. The proper width of guages, the forms of machinery, the greater or less power required in the various gradients; these are questions in which science is aided by experiments; but the practicability of a railway in a country where the height of every hill, the velocity and depth and direction of every river, the geological features were known, was not an experimental question as regarded the engineering apart from the commercial considerations. Whether the traffic between Liverpool and Manchester would pay the proprietors of the railroad was conjectural; but so it is, in the case of every new canal, new bridge, new road, in which the projectors invest their capital: all commerce in this sense is conjectural, speculative, experimental. But suppose this first line had been experimental: the experiment could have proved nothing beyond itself; if it had failed it would have proved little or nothing against a railroad from Liverpool to London: and though it succeeded, it neither proved that all other railroads nor that any other would be commercially successful. What then we ask is to be proved by our experimental railroads? Plant the railroad where the country is exposed to inundations! If it is washed away will it prove that railroads will fail in parts not subject to inundations? Or, again if it is washed away, notwithstanding the Commissioners state that adequate protection may be given, will the experiment prove more than when a chain bridge falls and buries hundreds of people, or than when a church sinks in the course of construction, or than when a common road like the course on which we drive every evening becomes foundrous within a few months after very extensive and expensive reparation? We are not therefore induced to give up the repair of bad roads, nor the hope of having good ones, nor to condemn

chain bridges as unfit for India, or churches as antichristian, though their foundations are rotten. And so as to railroads: the Commissioners have reported railroads as practicable, and answered the objections arising from the climate and seasons: they have inculcated caution in the selection of the lines, and therefore the simple question remains, which is the most useful —the most desirable line. Doubtless the Government may say 'we are not bound by the Report'—true, because the commissioners are not infallible: but capitalists will form their own opinion, and capital which may be ready for a useful, feasible line, may not be forthcoming for an experiment, nor for any railroad at all if Government discredits them as experimental. What we ask is to be proved by the experiment? What is the object of the experiment? We are utterly at a loss for a rational answer to this question, and we have no hesitation in characterising the idea as unscientific, pussillanimous, and, in effect, hostile to railroads.

The Report next describes the route which the Commissioners recommend from personal examination of the country for a line of railway connecting Calcutta with Mirzapore, and from thence to Delhi and the North West Frontier. First impressions, they state, would lead to the supposition that the proper course would be to cross the river Húgly at Calcutta and proceed from its *right* bank in the direction of Bancúrah; but this line of country is subject to periodical inundations; and in the event of the embankments of the Damúda breaking, to powerful torrents which might act very injuriously to a railway. The Commissioners therefore have suggested that the railway should proceed up the *left* bank of the Húgly, and cross the river a little below Chandernagore (about 18 miles from Calcutta); or proceed still higher up the *left* bank to Nuddea, and cross the Húgly just below the junction of the Bhagirutti with the Jellinghi. These several lines come nearly to the same point at about ninety miles from Calcutta. The first is the most direct, and shortest by upwards of 30 miles; but its cost of construction mile for mile would probably be the heaviest of the three in consequence of the quantity of viaduct and masonry which would be necessary. And both the first and second are open to the same objection, of an unknown amount of danger from torrents and inundation, *if the bunds of the rivers in Bengal are abandoned.* The Commissioners at the time when they made their report appear to have regarded this last objection which we have italicized, as fatal. Subsequently, however, new light has been thrown on this subject. In August 1846, a Commission was appointed to proceed up the

Damúda and examine the effect of the bunds (embankments) and report on the system of bunding; and from its report we collect that the danger in the lower parts of Bengal from the overflow of the rivers, would, in the opinion of that Commission, be lessened, by the waters being allowed to run freely. The Damúda Commissioners, therefore, have proposed to substitute a system of drainage in lieu of the existing system of embankments: to cut through the natural bank of the river instead of raising an artificial one: and instead of confining the waters to their principal bed, the level of which yearly becomes higher, to relieve that bed by openings and channels; and they anticipate that from this plan inundations of the land will be less frequent than at present with the embankments, less violent and consequently less destructive,—in which case it would follow, that a railroad could be more surely protected against them. These anticipations were not before the railway Commissioners when they made their Report. Mr. Simms was on the embankment Commission. We cannot undertake to say whether he entertains the same view as before, of the expediency of making the line up the left bank to Nuddea; but, if the views of the embankment Commission be confirmed, the premises on which that recommendation proceeded are shaken, and we may expect to find the most direct and shortest line will now be regarded as the preferable one. We extract the following passage in which the Commissioners express their motives for proposing a *detour* instead of the most direct line:—

"10. The object in making this apparent *détour* is, that by flanking the Damúda, we should, in part, escape the water that flows towards the sea in the direction of that large river, but not be wholly free from its effects; and whenever an occurrence should hereafter take place, similar to what took place during the late inundation (viz., the breaching of the bunds of the river), a considerable amount of damage would arise to the works of the railway.

11. So long as the water is confined within the river bank, no material injury would arise to the works of the railways simply from the submersion of the country during the rains, but upon the accident before named, the body and rush of water were so great as entirely to undermine and destroy a bridge near Dulla Bazaar, and to threaten destruction to the bridge over the Banka Nullah at Burdwan, by which Nullah, the surplus waters in a great degree found their vent towards the river Húgly.

12. In addition to the foregoing considerations, it is possible that hereafter it may be considered advisable to abandon the preservation of the river bunds, and to allow the waters during the rainy season to overflow the surrounding country, in the expectation that the sedimentary matter that is now raising the bed of the river may overspread the country, and tend to raise the general level. (This has been hinted to us as a suggestion that has been made, but upon which we must be understood to give no opinion.) Such a procedure would have an effect upon the railway works that is difficult to forsee or provide for, except, in all probability, by the construc-

tion of a larger quantity of viaduct for the free passage of the waters than would otherwise be necessary, and thus increase the cost and maintenance of the works.

13. The above considerations and information obtained from Lieutenant-Colonel Forbes, Captain Anderson, &c., led to an examination of the country still further to the northward, from which it appears that a very advantageous line of country for a railway exists on the left bank of the Húgly, and crosses that river at a short distance below where it is first formed (or takes that name) by the junction of the Bhagirutti and Jellinghi at Nuddea, from which, crossing, it would proceed due west, and pass about ten miles to the north of Burdwan, near to a place called Balkeshun."

From the foregoing remarks it appears that the selection of the lower part of the line, remains to be made, we will therefore here offer a few remarks on the comparative merits apart from engineering considerations of these three lines or part lines. It is a fact to which we would particularly wish to draw attention, that each line involves the necessity of a bridge across the Húgly; although the line commencing at Howrah, but not the other lines, would be continuous, and therefore *in that respect complete without one*: and this circumstance, considering the portion of the capital which a bridge across the Húgly would absorb, probably upwards of a million, and the time its erection would take, probably three or four years, appears to us to be a strong recommendation of the Howrah line; a bridge could be dispensed with at first and for a long time with the Howrah line; on the other hand, a bridge would be essential from the first to the other lines, and this, it appears to us, in a great degree counterbalances the objections arising from the difficulties in the lower part of the Howrah line. And then, as to the comparative* utility of a bridge in other respects. At Nuddea and Chandernagore, we apprehend, it would be of little use except in connection with the railroad; but at such a city as Calcutta its importance may be estimated by comparison and experience at a great many other places: a bridge across the Húgly here would, as we apprehend, be what cheap steam passage across the Mersey at Liverpool is to Cheshire; what the Thames tunnel is becoming to Rotherhithe; what South-wark, Waterloo and Vauxhall bridges have been to (say) twenty-four or thirty square miles of land on the south side of the river Thames: practically it would double the river frontage; be a vent for parts of this city which are choked with an excessive and mercantile population; open at a convenient distance another district to the increase which would assuredly result from the establishment of

* It is intended that all the bridges shall have a common road as well as a railroad over them.

railway communication; vastly increase the value of property and facilitate various projected improvements of the old town, —which appear all but impracticable without some such attraction to draw off from it a part of the population. These reasons, concurring with those founded on the diminished danger from inundations, which all competent judges unite in pronouncing capable of being realized, induce us to hope that the bridge and terminus of the railway will be at Howrah. There are other minor considerations leading us to the same conclusion; it is a circumstance which may be mentioned that a terminus at Howrah with a bridge across to Calcutta will be nearer the shipping, nearer the counting houses and ware-houses of the merchants, nearer, in short, to the centre and seat of the mercantile business of Calcutta than is the terminus of any railway in England with which we are acquainted, and over the bridge the railway may be extended into the very heart of the town, at the smallest inconvenience to existing rights of property.

It would be uninstructive to repeat in detail the line which the Commissioners propose from the point just noticed on to Mirzapore and thence to Delhi: but there are some circumstances mentioned in the report which appear to us worthy of being noticed. The Report (para. 26) describes this part of the line as passing through the Ranigunge collieries; consequently it will cross the great coal field of Burdwan and (probably) Pachete, which we regard as a fact of very great importance. The greater part of the native coal consumed in Bengal is brought from this district: the coal field consists of some hundreds of square miles, and contains coal of various qualities: but the trade is nearly a monopoly: and the supply of coal, consequently, most unsatisfactory; the price high, probably 30 per cent. higher than it ought to be; and the quality generally inferior, so much so, that English coal is imported in large quantities. The public are obliged to take what they can get, as the attempts hitherto made have failed to break down the monopoly. The existing state of the coal trade (we call it a monopoly) may safely be pronounced a grievous burden on many branches of the internal commerce of this part of India. We are disposed to press this as an argument in favor of the grand trunk railway and of the immediate establishment of a railroad to the coal field of the Damúda. It will immediately occasion a diminution of price in one of the first necessaries. Coal is largely consumed in various manufactories. It will substitute good coal for bad and abundance of it, and as a consequence upon abundance there will be a liberal consideration

for the convenience of customers, as well of small as of large,—a matter of real importance, as all know who have had dealings with monopolists. It will make us independent of foreign (English) supply: and if undoubtedly this would be a benefit in time of peace, how much greater would it be in time of war? And how could Steam Navigation in the Indian seas be carried on in the event of a war, if the coal used in it, had, as at present, chiefly to be brought from Europe?

The argument thus briefly put cannot, we believe, be gainsaid. Did any of our readers desire that we should fortify our premises, viz. that the coal trade is a monopoly—we could easily do so, and shew how it has become so; the disclosure would throw some curious light on the commercial, social and political condition of this part of India. Let a mere sketch suffice; it is all that we have room for. All the coal from the Burdwan coal field is brought down by the river Damúda. The river is open only two or three months in the year, and consequently to be in time for it, the collier must deposit his coal beforehand on the banks of the river. The navigation is carried on only by the common river craft, the supply of which is inadequate to the demands of the coal trade. Now bearing these three facts in mind, observe how congenial they are to the corruption of the trade, to its conversion into a monopoly. Now let us put an hypothesis. Supposing it free at this moment, we will suggest an easy and natural process by which it might become a monopoly. Make the navigation difficult for small traders; by extraordinary exertions, by hook or by crook, secure all the boats any one year; or make it exceedingly difficult for others to get any: hire or pretend to have hired the whole river frontage, within a moderate distance from your own and your neighbours collieries and maintain the possession and right till a Mofussil Court has decided it against you: we say, do all this, against which there is no law, or get it believed that you will do it, and the coal trade in the eyes of a prudent person, appears a lottery; capitalists consequently avoid it. In the particular instance of this trade, it was recently proved in a Court of justice that the river was infested by lattials who were employed and paid by nobody; from the mere love of wickedness they attacked the coal fleets, but luckily the only sufferers or complainants were the smaller colliers. Doubtless they were employed and paid by nobody to do this, and such conduct we must believe would be reprobated before the public by none more than those who have suffered least or not at all by it; still that such things are done is certain; and that they may be done by native servants of respectable people, we can believe, because

quite certain it is that natives do not view matters of this kind as their enlightened masters do; and being done, the coal trade is regarded as one of the most hazardous, and capitalists feel an aversion to it. A railroad to the collieries will immediately cure all the moral, political, commercial evils alluded to. Respecting the influence which it will have on prices, we shall make a few remarks presently.

In the early discussions respecting the grand trunk line, the river Soane, which intersects the trunk road a few marches below Benares, was particularly dwelt upon as an insurmountable and fatal difficulty. The Commissioners only regard it as "an obstacle to the cheap construction of a railway:" "a viaduct across it," say they, "is a matter of expense only," but cheap and dear are relative terms, and Indian railways would probably be among the very cheapest, if it were not for these great rivers. Considered, however, as barriers to intercourse, not to be overcome by common ways, they demonstrate the importance, and enhance the value of railroads:—

"29. The river Soane is a formidable obstacle to the cheap construction of a railway, being two miles and three furlongs in breadth, and the foundation or natural substratum below (at present) an unknown depth of sand. The erection of a viaduct across this great river is, however, a matter of expense only, there appearing no difficulty in the case that perseverance and ingenuity will not overcome. The most suitable point for crossing the river seems to be about three miles higher up than where the trunk road now crosses it, at the foot of the range of sand-stone hills, from which much valuable material for the structure might be obtained, and for this purpose also, granite of excellent quality may be quarried about two miles south west of Nowrungabad, and about twelve miles south-east from the proposed site of the bridge. Lime also is obtainable at or near the spot."

This passage is followed by a suggestion of considerable importance, and which appears to us new. The commissioners recommend that all bridges of great magnitude erected by Government should be made sufficiently wide and strong to admit a railroad, and railroad bridges in like manner to admit a common highway. Let us ask, does not the same reason apply to viaducts; and if thus railway bridges and railway viaducts are constructed so as to keep open at all seasons the general intercourse of the country, assuredly railroads will be entitled to be classed among the greatest blessings yet conferred by British sway on the general population of the Lower Provinces. The following is the passage containing the last mentioned suggestion of the Commissioners:—

"30. In the construction of this bridge, and of all others of great magnitude, as the crossing of the Húgly and the Jumna, hereafter to be referred to, we would recommend that they be made of ample width, not only for

the railway, but also for a common highway, which may be separated from the railway by a screen of masonry. The additional cost of such extra width, at the time of construction, will be but little in comparison with the cost of a separate structure for the public highway, and compensation might be given to the railway company for the extra outlay, either by Government supplying an equivalent portion of the cost, or granting them the right of levying a toll for a given number of years.

31. On the other hand, we would advise that all bridges of great magnitude, erected by Government, for the purpose of any public highway in any part of India, should be constructed of ample width to accommodate a railway also, if there should appear any moderate probability that such a work would become desirable for, or likely to be executed in that direction within any reasonable period of time."

We will here notice the statements both of the Commissioners and of Mr. Stephenson respecting the levels, because they may interest some of our readers. Up to or near the Dunwa pass, about 250 miles from Calcutta, the Commissioners state, "the gradients of the line will be very easy, and although steeper gradients will have to be here introduced to overcome the natural barriers, we do not expect from the levels taken they need be greater than can be worked by assistant power, when the trains are heavy, and it is the only place upon the whole line where favorable gradients cannot be obtained at a small cost, as regards the earthworks." So, Mr. Stephenson; "the line which has been surveyed after leaving the valley of the Barrackur ascends the hilly range at an inclination in no case exceeding the limits of locomotive power." By a statement before us it appears that from Calcutta to Burdwan the steepest ascent is 1 in 336 for a distance of about two furlongs with a descent at the rate of 1 in 379 for about the same distance. From thence ascending towards the Barrackur, a distance of about fifteen miles, the ascents are still very easy, the steepest being 1 in 366 and 1 in 377, for a distance of less than half a mile only: then descending the valley of the river (Barruckur) at the rate of 1 in 220 for little more than a quarter of a mile. The greatest rise now commences towards the hilly range; but it in no case exceeds 1 in 100, and that incline is a plane of less than a third of a mile: one descending plane is about the same incline and of the same length, 1 in 155 and 1 in 186 are the only other ascents under 1 in 255, till the highest ground is gained. We have reason to believe that better gradients will be found than those described at the Dunwa pass: where however Mr. Stephenson represents the descent as more abrupt, but still admitting of such gradients "as will render the use of fixed engines unnecessary." There the descent is commenced by three inclines, two of 1 in 61 and one of 1 in 62; in length together under a mile and a

half, and having horizontal levels between them of about a furlong each in length. One other short plane of 1 in 138 and the fall becomes very easy to Chunar. From thence to Mirzapore the gradients are easy: the descent of 1 in 306 being the steepest. From Mirzapore to Allahabad one half the distance is a horizontal level and enters Allahabad by a short ascent of 1 in 377. From Allahabad to Cawnpore is a general and very light rise, the greatest ascent being 1 in 2064 and the steepest descent 1 in 1508; and from Cawnpore to Agra and Delhi the rise is also general and very slight. Mr. Stephenson says, "from Allahabad to Agra and Delhi, the country presents probably fewer engineering difficulties than are found in almost any other district of equal extent. The inclination of the country rises gradually from Allahabad, varying from twelve to thirty-six inches in the mile, with scarcely any perceptible variation."

Following the order of the Report we will next notice the branches proposed by the Commissioners:—

"35. Having now explained our view as to a suitable line for a railway between Calcutta and Mirzapore, we will before proceeding further describe the branches we should propose to diverge therefrom to give the most extensive accommodation to the country at large, and to relieve the traffic of the Ganges proceeding to Calcutta from its great drawback during at least eight months of the year—namely, the circuitous route by the Sunderbunds, when the waters of the Bhagirutti are too low to admit of the more direct route from the Ganges to the capital of India.

36. The first branch should be from a point near Burdwan to Rajmahal, along the district of country selected many years ago by Lieutenant Colonel Forbes for the Rajmahal canal; such a railway will, in future, supersede the necessity for the canal, which, however, would have conferred great benefit on the trade of the country if carried into execution when he first proposed it; the fact that such a canal has been for many years a *desideratum*, proves the same thing in favour of the more modern mode of intercommunication.

37. Besides the accommodation of the trade of the Ganges, it will give accommodation to Purneah, Malda, Dinagepore, Rungpore, and the country in that direction through which it may possibly hereafter be found desirable to extend this refined mode of transit.

38. After all that has been stated from time to time in favour of Lieutenant Colonel Forbes' important work, nothing more need be added in favour of a branch railway in that direction. This branch would be about 120 miles in length."

The above branch is a modification of the line proposed by the Great Western Railway Company:—

"39. The second branch we would propose would leave the main line about five miles eastward of Shuhurghotti, and pass northwards through Gaya to Patna and Dinapore, thus accommodating a very important district of country, as well as the military and civil stations above-named; and on the opposite side of the Ganges, the valuable district of Tirhút, Sarun, &c. this branch will be about eighty miles in length."

This we believe to be an original proposal of the Commissioners; but it coincides with the original design of the East Indian Railway Company, to construct as many branches from the grand trunk line as shall appear desirable to complete the system of railway communication in the Lower Provinces:—

"40. Another branch might probably be advantageously made from the main line up the valley of the Soane to the coal-fields westward of Rotasgurh; but we do not lay much stress upon its immediate formation as a branch, until it be ascertained whether or not the main line from Bombay will take that course, as it appeared some time ago probable that such might be the case. Such a branch may be found desirable, if not indispensable to the interests of the railway company, as they might thereby obtain coal for their own purposes, as well as to supply the public in that and the still higher parts of India."

The reader will observe, the importance of obtaining fresh supplies of coal for the public is distinctly recognized in this extract.

"41. The last branch we propose for immediate construction on this portion of the great trunk line from Calcutta to the North-West Provinces should be, as stated in paragraph 32, from about nine miles before reaching Chunar to Raj Ghat, opposite Benares, a distance of about seventeen miles."

Such are the branch lines in the Lower Provinces suggested by the Commissioners: they do not include the line commonly known here as the Bhagwangolah line, which was proposed by the Northern and Eastern Railway Company.

The Commissioners appear to have rejected this project, for much the same reason as we alleged against it, namely, the unsettled state of the Ganges and shifting character of the bed of this river at the proposed upper terminus of this railway. Their statement is as follows:—

"19. In furtherance of this object" (i. e. the choice of a line for a branch from the Ganges) "we extended our examination, in November last, to the country north of Kishnagur, through Berhampore and Múrshedabad to Bhagwangola, with a view to a branch railway from Kishnagur to those places; and although the country is highly favourable for such a project, yet the great mart at Bhagwangola is of so unfixed a character from the extensive and continued changing of the bed of the Ganges, that, unless its continuation northward and eastward be considered desirable, it would appear that a branch to Bhagwangola simply to accommodate the trade that now passes along the Ganges to Calcutta by the Sunderhunds route, will not be found to answer as a commercial speculation: a permanent point, however, on the banks of the Ganges exists at or near Rajmahal, which might be suitable to receive the great traffic of the river, and be connected with the trunk line, a little northward of Burdwan, and found advantageous to the general trade of the country, in like manner as the proposed canal of Lieut. Colonel Forbes would certainly have done if that important work had been carried into execution. Such a branch railway would in no

point be removed very far to the westward of the projected line of the canal in question."

The Report next traces a line upwards from Mirzapore to Delhi. The conciseness of this portion of the Report enables us to give it entire:—

"44. On the extension of the line from Mirzapore to Delhi, but little need be said respecting this portion of the proposed works. In length it will be about the same as that of the line we have already described, Mirzapore being about midway between Calcutta and Delhi. The direction of the line will be nearly as follows:—between Mirzapore and Allahabad it will trend a little to the south of a direct line, to secure better ground for a foundation to the works. Upon this portion of the line the railway will cross the river Tounse, and in order to extend it into the Doab, the river Jumna must also be crossed at or near to Alhahabad; a suitable spot for crossing exists near the present bridge of boats. Thus, the military magazine at Allahabad would be connected by railway with Calcutta, and, by the extension to Agra and Delhi, with the magazines at those places respectively.

45. Leaving Allahabad, the railway would keep on the south west side of the trunk-road to Futtehpore and Cawnpore, thence it might take a direct line to Mynpooree, which would be its proper course if continued direct to Delhi; but if it be finally resolved that the line should pass through Agra, and thence to Delhi, along the right bank of the river Jumna, it would be more desirable that the railway should proceed from Cawnpore by Shekrabad to Agra, as that line would not only be shorter, but would avoid the crossing of one or more nullahs than it would have to do if taken by Mynpooree.

46. Supposing that its route would be through Agra, it would again cross the river Jumna at the latter city, a suitable site for which purpose would be a little northward of the present bridge of boats, and passing the civil lines to the north of the Government offices and Ackbar's tomb at Secundra, take a tolerably direct course through Muthra to Delhi.

47. A suitable place for a station at Agra exists where the rails, continued from the bridge, would become level with the present surface of the ground, about midway between the river and the civil lines, and, if necessary, such station could be connected with the bank of the river at a much lower level than the railway, by a branch descending to the water's edge.

48. Before, however, determining that the main line should pass through Agra to Delhi, it is a subject for consideration, whether or not it would be more desirable to take the line direct through Allyghur, and cross the river Jumna at Delhi; for this purpose a suitable place for crossing the river is immediately to the northward of the palace, whence it could be continued along the bank of the river to a station on the vacant ground at the back of the magazine, and, if necessary, can at any time be prolonged northward, past cantonments, towards Kurnaul.

49. The advantage of the direct line to Delhi over that by Agra would be,—1st, the shortening of the distance between Calcutta and the frontier; 2nd, passing through, probably, a richer agricultural district than would be done on the route between Delhi and Agra; and 3rd, in case of invasion from the westward, a possible, although not probable, occurrence, the railway would be protected by the river Jumna. On the other hand, the city of Agra, at present the capital of the North-West Provinces, with its magazine, would be less directly connected with the frontier and the magazine at Delhi, if

situated at the extremity of a branch, than if placed upon the main line. The country also to the west of the river Jumna, although perhaps not so productive to the agriculturist as that in the Doab, yet is admitted to possess a very considerable trade.

50. As respects the two routes, in an engineering point of view, there appears to be no great difference, for although on the direct line there would be the additional cost of crossing the river Hindon (no trifling matter, certainly, unless as suggested by his Honour the Lieutenant Governor of the Upper Provinces, the crossing be effected below the junction of the Hindon with the Jumna, if the Jumna itself be as manageable there as at Agra or Delhi) the route, by way of Agra, would be about 20 miles longer, and consequently, from that cause, increase the cost of construction to probably within a trifle of that of the direct route.

51. If Agra be accommodated with a branch line only, and that branch be terminated on the opposite side of the river to the city, it would be highly inconvenient and undesirable; but if a bridge is to be constructed at Agra, at all events, to carry the railway into the city, which it should by all means do, then the consideration would be greatly in favour of taking the main line by the Agra route, for the more perfect accommodation of that great capital of Upper India.

52. Whichever of the two directions for the main line between Cawnpore and Delhi be finally fixed upon by Government as most desirable, the line can, at any future time, be extended to Kurnaul and to the frontier, where a terminus might be establishod on the highest navigable part of the Sutlej, and thus connect the great rivers, the Indus and Ganges."

Next, the Report suggests several branches in the Upper Provinces: viz. one to Furrukabad, one to Allyghur, one to Meerut, and a fourth to Simla and Mussoorie, upon the extension of the main line to Kurnaul, or rather, looking at the map, we should say, a fifth branch from Meerut to Mussoorie. Our readers in the Upper Provinces will take an interest in the paragraphs recommending these branches:—

"53. The branches to be recommended for construction on this upper portion of the main line from Calcutta to the North-West would be one to Furrukabad, a second to Allyghur, a third to Meerut, and, upon the future extension of the line to Kurnaul, a branch could be advantageously constructed thence north-eastward towards the hills on which the sanitary stations of Simla and Mussoorie are situated, or wherever else it may be found desirable.

54. The first branch, or that to Furrukabad, would leave the main line about 60 miles north eastward of Cawnpore; and proceed direct, the length being about 45 miles from the line, through Shekrabad to Agra, and 32 miles if taken from the direct line to Delhi through Mynpooree.

55. The second branch, or that to Allyghur, would lead direct from Agra, and would be about 48 miles long. But if the direct line to Delhi be adopted, this branch would not be required, as the line itself would pass through Allyghur.

56. The third branch would be from Delhi to Meerut, and 36 miles long, and which, if the main line takes the right bank of the river, we propose should terminate opposite to the city of Delhi, as it appears to us the traffic would not be sufficient to warrant the expense of constructing a costly bridge over the river Jumna for the purpose.

57. The fourth branch, namely from Kurnaul towards the hills requires no further remark at the present time than we have already bestowed upon it.

58. If, however, it should ultimately be resolved that the direct line to Delhi through Allyghur be adopted, the branch to Agra would leave such main line near to Secundra, a distance of about 40 miles."

To enable contracting parties to open the whole line at the earliest period with the least possible outlay, the Commissioners suggest laying down in the first instance a single line of railway, with all necessary passing places, and accordingly preparing the permanent way for a single line, but at the same time requiring the earthworks and masonry to be constructed for the reception of a double line. And in conclusion the Commissioners recommend what we contended for, that the whole distance from Calcutta to Delhi should be viewed as one line and be worked and conducted by one company. The one company alone willing to undertake the whole, is the East Indian Railway Company; and from the recent amalgamation of the Great Western with this Company, it appears to us not improbable that the entire system of railway communication for the Bengal and Agra Presidencies will be the work of one consolidated company.

The following appear to be the amount of railway communication recommended by the Commissioners: the distances are stated approximately:

THE GRAND TRUNK LINE.

	Miles.
From Calcutta to Delhi	900
Extension of same to Kurnaul	60

BRANCHES.

From near Burdwan to Rajmahal	120
,, Shirgotty to Patna and Dinapore	80
,, Chunar to Rajghat, opposite Benares.	17
,, 66 miles N. W. of Cawnpore to Furrukabad	45*
From Agra to Allyghur	48†
,, Delhi to Meerut	36
,, Meerut by Hardwar and the Deyra to Mussoorie	118
,, Delhi, Kurnaul and Umballa on towards the frontier to Simla	120

* Or if from Delhi, 32 miles.

† Or no branch to this place if the line goes direct to Delhi.

The Report is wholly silent on the subject of the cost of constructing these Railways: but Mr. Simms, it appears, had stated it, in a letter to Government, at £15,000 per mile for the grand trunk line, as an approximate estimate. In the Diamond Harbour Report, however, which is dated several months later, Mr. Simms has given much and valuable supplementary matter on this subject and on the cost of Railways in several countries. In an appendix to the Report are no fewer than seven Tables, too long to extract, but of which we will endeavour to make a Summary. Table I. enumerates fifty-seven Railways in the United Kingdom of Great Britain and Ireland, of the total length of 2,177½ miles costing £76,137,441, being an average of £34,965 per mile. With the exception of one line of eighteen miles in length (Hayle) the cost of which is stated at £6,940 per mile, the lowest cost is of two Scotch lines of £8,710 and £8,570 per mile, in length seven and seventeen miles; there is no line exceeding fifty miles in length, of which the cost is not upwards of £20,000 per mile, and the lines of more than 100 miles in length include four of which the cost per mile is £46,355, £55,330, £52,780, and £44,412. Table II. shews the average cost per English mile of the principal lines of Railway in France executed and in the course of construction. The smallest cost per mile is £18,050; the highest (from Paris to St. Germain's) £39,000 per mile; but as those finished are not distinguished from those in course of construction, an ultimate average cannot be deduced from this Table. According to Table III. Austria has two lines (length not given) costing £11,675 and £16,360 per English mile; and according to Table IV. Prussia three lines (length not given) costing £12,323, £10,179 and £28,334 per English mile. The average cost according to Table V. of the Railways in Belgium, the older ones of which were constructed by the Belgian Government, is £15,313 per English mile on 347 miles. In Table VI. the average cost per mile of American railways is shewn; and here it appears what the English race (for such we regard our United States brethren) can do when free from antiquated ideas and untrammelled by Government regulations. This Table exhibits a list of fifty railroads of the aggregate length of 2,638¾ miles, and the total cost is £12,783,616, which sum total gives an average of £4,844 per mile. But a great many of the lines enumerated are merely for the transit of goods, others are for limited purposes, and cannot be brought into comparison with the European lines, and the average cost of the passenger lines in America is stated in the *Edinburgh Review*, No. CLXX. to

be about £9,010 per mile. There is a 7th and concluding Table, which gives the cost of the permanent way on various double lines of railway in Great Britian, and shews that the cost of the Permanent Way alone averages £5,167 per mile.

We have thus noticed the appendix or Tables first, to prepare our readers for the discussion as to the probable cost of Indian railways. A reputed competent authority had estimated rupees 44,000 (£4,400) per mile as the cost of a railway from Calcutta to the Upper Provinces, constructed in the most "efficient manner," "capable of transporting the whole traffic of the country, with a double line of the best and strongest construction:" and this sum is estimated to include the cost of bridges, over the Jellinghi, the Bhagirutti, Soane and Ganges twice, namely, at Benares and Allahabad, besides the many other rivers and nullahs,—which, although denominated small in this country, where they are compared with the Ganges, &c. yet in England would be considered great—and likewise of all necessary engineering and surveying.

Mr. Simms deals with this estimate as if it were founded on a supposed analogy between India and the United States, as regards the construction of railways; and in this point of view, his observations are convincing and satisfactory, and we will quote them presently; they prove the writer alluded to, to be in error: but we must remark that the said "reputed competent authority" is a Bengal Engineer Officer, and we understand his estimate as being made upon data derived chiefly from the assumed cost of the new Benares road, and the price of labour and materials in this country. We therefore beg to say that no one department of Government nor all the departments of Government, nor Government itself, nor the Court of Directors know what the grand trunk road, in its present half finished state, with half its bridges not begun and some already fallen to ruins, has cost, nor what it will cost, nor hardly its present state, and that this said road is about the most fallacious criterion which could possibly be referred to, in estimating for railways. What however Mr. Simms says about American railways we will quote, to correct an opinion which prevails, we believe, in some quarters, that the cheap lines of America are good models for lines in India,—merely premising that since the report was written, the *Edinburgh Review*, has given apparently upon good information the cost of passenger lines at £9,000 per mile, shewing former estimates in error:—

"54. The cost of the American railways would appear generally to be far under that of the European lines; and this being popularly known, has led

to the proposal that the Railways in India should be constructed after the American model, thinking thereby to ensure an equally low outlay, but it should be remembered that the circumstances and requirements of the two countries, as also of the climate, are greatly dissimilar, and that the appliances of the one country neither exist in, or are suitable to the other.

55. Those of the American lines which are constructed at so small an outlay, are, I believe, chiefly made through districts where timber can be had either for felling, or at a very small cost; whilst on the other hand we find that where timber is not so plentiful, and the traffic great and well developed, as it is in the populous and wealthy districts, a more substantial, or European form of railway is constructed, and of course at a much greater cost. This will go a long way to explain the reason of the disparity in the several expenditures as set forth in the Table VI, Appendix D. Although no doubt an uneven surface of ground, or the existence of rivers has much to do with this great outlay, and leads to this better kind of construction; as the maintaining of cheap timber works on so extensive a scale would probably be ultimately found the most costly on account of their repairs and restorations. Thus the cost of the Philadelphia and Wilmington line was per mile £32,450;—The Baltimore and Ohio £12,444;—Harlem £27,500;—Washington Branch of the Baltimore and Ohio £11,010.—Philadelphia and Reading £10,526,—Philadelphia and Norristown £10,000,—Jersey City to New Brunswick £11,765,—Columbia and Philadelphia, £10,544—Boston and Lowell £12,453,—On none of which railways were rails laid down of more than 56 lbs. to the yard, on many only 45 and 40lbs., on others named in the table, nothing more than plate iron fastened down to the surface of wooden rails were used, and this appears to have been the general plan for the low priced railways; (on some of which I believe no iron at all was placed) and they were mostly only single lines.

56. Besides the quantity of timber used in the construction of the permanent way, many of their rivers are spanned with their timber bridges, as on the Utica and Syracuse railway, where the Mohawk river is crossed with timber, in one span of 100 feet; also the Oneidia creek which is crossed with one span of 84 feet and sixty of 29 feet each, (no contemptible work) and many others; such an extent in the application of timber is quite as it should be in a timber bearing country, and where the climate, &c. is not unusually detrimental to its durability.

57. In India however the case is widely different, so many destructive agents are constantly at work upon timber, that it is desirable to use it as sparingly as possible: and not only on that account, for in Bengal and the North West Provinces, (at least along the line of country selected, and proper for the railroad,) another particularly good reason exists against its extensive use, namely, that little or no timber is to be had near the line, of suitable dimension or quality for the work, for although it passes through an immense extent of jungle country, yet the timber therein is mostly a small sized saul, so thin as to be applicable to little else but the fencing, wherever posts and rails may be used for that purpose; and along the Dooab for hundreds of miles there is no timber at all either available or suitable. Therefore whatever quantity of that material may ultimately be employed in the construction of the railroads in this part of Bengal and the Upper Provinces, must be brought from the hill countries a great distance, and consequently at a great expense, and I will be much mistaken if the advocates for wooden railways in Bengal would not find them any thing but cheap in their first cost, as well as in their subsequent maintenance.

58. It appears therefore that these considerations afford a sufficient answer to the advocates of the cheap American railroads for India. The Americans

themselves are now, if I am rightly informed, gradually replacing their early temporary railways by those of a more substantial structure. Therefore for India, all things considered, I would advise that the railroads be made in the most substantial manner, as the most durable, and economical in the main."

Having thus disposed of the argument founded on the supposed cost of American lines, the report proceeds to comment on the estimate of £4,400 per mile already referred to :—

"60. The sum named, £4,400, is less than the average of all the American railways as given in Table VI., which I have shown to be constructed in a manner quite unsuitable to the climate of this country. But the statement I allude to professes to provide for nothing short of "*a most efficient construction* with a double line of rails, &c." The lowest cost of the European railroads are some of the English lines, see Table I, Appendix D. namely Alysbury junction £8,710, Hayle £6,940, Arbroath and Forfar £9,214, Dundee and Arbroath £8,570, Sheffield and Rotherham £9,470, Gravesend and Rochester £13,333, and the Norfolk £13,150; next are those of Austria, Table III. viz. £11,675 and £16,360. But, the Belgian railroads, which are continually quoted as samples of cheap railroad construction, average £17,252 per mile for a double line ; and certainly no country in the world is better adapted for railway purposes, either as to level surface, or the absence of rivers. The extent of labour for earthwork must have been trifling, quite as little mile for mile as it can possibly be from Calcutta to the Upper Provinces, (judging from my knowledge of the two countries) and also with the absence of any bridge that would bear comparison in magnitude with what will here be required over some of the nullahs, much less such crossings as the Bhagirutti, the Soane, and the Ganges.

61. The last Table VII. of Appendix D. gives the actual cost of constructing the permanent way *only* of many of the British railroads, and also their average cost. This table will show to any unprofessional person the cost of that important part of such works, for it is impossible that the upper works of Indian Railways (the permanent way as it is technically called) can be *less costly* than in England, inasmuch as nearly all the materials for the same must be brought from thence, and therefore the charge for freight and the subsequent land or water carriage added to the price in Britain must make the Indian outlay the greater of the two, unless any diminution can be made in the cost of sleepers, blocks, ballast, or labour which I do not expect will be the case, except perhaps in the comparatively small item of labour, but this is very doubtful as it will require a better class of men than the ordinary labourers (or coolies) to do the work, because this operation must be performed with great accuracy, as both life and property depend much thereon in railway travelling: I see no reason therefore to expect but that the cost of the permanent way on the Indian lines will exceed that of the British lines.

62. According to Table VII. the smallest outlay per mile for the permanent way double line was on the Birmingham and Gloucester, namely, £3,708 and the highest on the Blackwall £7,872. These differences chiefly arise from the difference in the weight of metal used, and the variation in the price of iron, &c. at different times ; I have known rails to be contracted for at £7 per ton, and also as high as £12 and upwards, and immediately preceding my leaving England in 1845, we made contracts for a large quantity at £10-10 per ton, which is about the price at the present time : £10 having been the average for several years, and appears likely to

continue so for some time to come. The average cost of the permanent way per mile of all the Railways in the table amounts to £5,167.

63. For all the leading or trunk lines or those upon which a large and heavy traffic is expected in India, I would recommend nothing short of the most substantial kind of construction, and with rails of not less than 80 lbs. to the lineal yard, the chairs and fastenings to be also of the most perfect kind, (those formerly used being too slight to insure due stability). Such a mode of procedure will be found in the main to be the most economical, especially in a country where the climate is to a certain extent unfavourable to such works, and numerous destructive causes are in continued action.

64. The cost of a most perfect form of permanent way only, for a double line of Railway through Bengal and N. W. Provinces will average about £7,500 per mile complete, being exclusive of earth works, masonry, or fencing, &c. If this statement be correct, and it is borne out by Table VII. of Appendix D, allowing for the difference in the weight of rails and chairs, as well as freight to and carriage in India, it shows the fallacy of the statements that have hitherto been put forth respecting the cost of Railways in Bengal, more especially when it has been proposed for a much less sum than the permanent way alone would actually cost, in addition thereto to execute all the ordinary earth works, drainage and fencing, and to span the Jellinghi, the Bhagirutti, the Soane, and the Ganges twice, besides several minor rivers which in the rainy season would well compare with the Thames at London or even make it look small."

To take so much trouble to refute so absurd an estimate we should have pronounced supererogatary, but both the "old Indian Post Master," as Mr. Simms probably was aware, and the author of the "Letter to the Shareholders," dwell on the estimate alluded to,—the latter literally adopting it, the former quoting it as good as far it goes, but adding £2,100 per mile for items assumed not to be included in it; and concluding thus,—"total £6,500: allowing an ample margin for contingencies say per mile £8,000." It is pleasant to compare these different authorities with one another. While the Bengal Military Engineer officer says £4,400 per mile, the Old Post Master swears by him, yet swells the sum first to £6,500 and then to £8,000, having only two pages before made in a note the following statement:—"The line from Calcutta to Mirzapore, if executed in the manner proposed by the Railway Commissioners, may be estimated at £20,000 per mile; from Allahabad to Delhi £8,000; Calcutta to the Sutledge, it would be an average from £12,000 to £15,000." "Oh, it depends on the manner in which the works are executed?" We reply, that is no solution of the difficulty: besides the Bengal Engineer Officer makes no distinction of this sort, but makes his estimate for works to be executed in the most substantial manner, and Mr. Simms recommends the most substantial construction for India.

Before we enter upon the questions of traffic and returns and some other general subjects we will proceed to notice the papers laid before Parliament with the Report, containing the views of the Governor-General and the Government of India: and we may observe, for the information of some of our readers, that these are wholly distinct, as the Governor-General when absent from Council has separate functions, and the Council, on the other hand, has full legislative competence without him. The letter from Government is entitled as issuing from the Legislative Department, but our readers should be informed that this is a mere nominal distinction and not one of persons; for, the three gentlemen signing the same are the Government of India in all its Departments, and one of the three has the entire Government of Bengal on his Atlantean shoulders, without a council. To this paucity, or numerical poverty, we referred in our former article, as one reason against the construction and management of railways in India being undertaken by Government. Parliament in the Charter Act wisely gave India a number of councillors called a Law commission, but, judging from the result, it would seem to have been the policy of the Court of Directors first to paralyze and then gradually to remove this arm: and now,—if charity can pardon the use of a somewhat strong but not inappropriate metaphor,—these its brains being knocked out, Government here has virtually become a mere affair of executive departments with a nominally local head, the real head being the Court of Directors in England which interferes about the smallest details. We must also premise that repeated reference is made in these papers to letters from Mr. Simms to the Government; and considering the weight which belongs to this gentleman's opinions, these letters, it appears to us, ought to have been given to Parliament. The letter from Government to the Court of Directors also informs us, that an analysis of the questions connected with the introduction of railways was prepared by the under Secretary of Government, with a view of facilitating the consideration of those questions. Albeit, though we have not these documents, we will make the most of what we have, and endeavour to supply the place of what we have not, by inference. Our object in this portion of our article will be, to shew what questions have been considered by Government, and its decision or opinion upon those questions.

The questions stated in the letter to have come under the consideration of Government, are the following:—

"By what provision shall Railway Companies obtain the use of the land required for Railways?

"In what manner shall the Government of India secure itself the option of becoming hereafter the proprietor of Railways which may now be constructed by private enterprize?

"What shall be the consequences to a Railway Company of a failure on their part to complete the construction of a Railway once commenced, or to maintain it when completed?

"Whether any amount of dividend shall be guaranteed by Government, as payable either after the opening of the Railway upon the whole capital expended, or while the work is in progress upon the sums laid out from time to time in its construction?

"The expediency of a perfect control being exercised by Government over the management of them when opened for public use."

Upon the first question Mr. Simms, in a letter to Government, appears to have recommended that the Government should deliver the land free of cost to the Railway Companies. About the acquisition of the land Mr. Stephenson also had corresponded with Government. His proposal was to pay for the land, but for Government to take it. On the proposal of Mr. Simms the letter of Government says, "It is entirely approved of by us, because we are of opinion that the purchase of land required for railways is a transaction capable of being effected much more easily by the Government than by a Railway Company; and because we consider that if substantial assistance of any kind is to be given by the Government to Railway Companies, Mr. Simms's proposal suggests the least objectionable mode of affording assistance." It may therefore be considered as settled that Government will take the land required by the Railway Companies; but it appears to us that a modified power to take land should also be conferred on the Railway Company; not in our view for the purpose of limiting the exercise of the power by Government, but of supplying its place, if and when for special reasons it becomes inexpedient that Government should exercise it. If such a case never arises, the power will simply be a dead letter; but it may be wanted and is better given at first than when about to be exercised.

As to the second question,—"The manner in which the Government of India shall secure to itself the option of becoming hereafter the proprietor of railways which may now be constructed by private enterprize."—Mr. Simms, it appears, adopting a principle of the most recent railway legislation in England, had recommended, that after a certain number of years the railway should be delivered over to the Government in a good and substantial state of repair *without payment*, except for locomotive engines,

carriages, trucks and the various tools and materials. The Managing Director of the East Indian Railway Company, in like manner, adopting the same principle, had proposed that the Government after twenty years, should be at liberty to purchase under conditions to be agreed upon. Both propositions assume the expediency of vesting the property in Indian Railways in the Indian Government; and the conclusion to which the Government has come in answer to the question is the one the least open to objection. "We think," says the letter of Government, "that in the provision that may be made for securing to the Government the possession of the railways hereafter, it will be sufficient to reserve to the Government the power of becoming the proprietor of the railways on settled terms at the expiration of a certain period, and it appears to us that this may conveniently be done by adopting the principle of the provisions of 7 and 8 Vict. c. 85."

With respect to the "terms" to be settled, we are aware they will be settled between the Railway Companies and the authorities in England; but we have turned to the minutes to see what are the ideas entertained here by the most influential parties respecting them.

The President of the Council suggests, that, at the end of 25 years, the railways should revert to Government, as a farm reverts to the landlord at the end of a lease, which is very different from an "option," and that in default of Government agreeing to grant a new lease, the Government should be at liberty to take the railway property moveable and immoveable, at *the then marketable value* to be ascertained by a valuation; or assuming the capital of the company to be the value of the property of the Company, to pay the shareholders three per cent. per annum, on that capital: in the former case, that is, of taking over the property at a valuation, that the Government should issue promissory notes for the amount bearing the lowest rate of interest at which the Government is then borrowing or can borrow money. No Railway Company we apprehend would regard these terms as admissible.

The next question stated is, "What shall be the consequences to a Railway Company of a failure on their part to complete the construction of a line once commenced or to maintain it when completed?" Mr. Simms had suggested that the Company should be required to pay into the Treasury one-tenth of its proposed capital. In a public point of view this appears to us unobjectionable; it at once tests the ability of the Company; throws the project into the hands of those alone who can carry it out, persons of real capital, and being thus

the best security against failure it practically supersedes the above question. A similar condition, is or was, imposed by the standing orders of both houses of Parliament. Mr. Millett (one of the Members of Government) expresses a strong dissent from this proposal. "It is very objectionable and unnecessary as a measure of precaution." But we must remark that a stipulation for a forfeiture—(as is recommended by Government)—is harsh, and with reference to the argument adduced in its favor, a forfeiture is a *non sequitur*. "As the Government will be put to very considerable expense in providing land for railways, it is but just that it should impose obligations for reimbursement in case of failure," &c.,—reimbursement, then, is what should be insisted upon and not forfeiture. Besides there is palpable want of equity in imposing a forfeiture which there is not in Mr. Simms's proposition. According to the minute of Lord Hardinge, the land will cost but £200 a mile, or £200,000 altogether; the forfeiture may be any sum from the smallest up to fifteen millions! We much prefer to this, the imposition of conditions which will of necessity bring in capitalists or extinguish the project in its infancy. Yet we would not omit from our pre-arrangements the possible contingency of a failure: let failure be supposed as possible: but then, so far as innocent shareholders are concerned, deal with it as a misfortune (for such we apprehend it will be) rather than a fault, and to be mitigated in every possible manner.

On the next question, viz:—"Whether any amount of dividend should be guaranteed by Government," &c.—the answer is as follows;—"We are of opinion that it is not expedient that Government should guarantee any amount of dividend either while the railway is being constructed or after its completion. The concession of the land to Railway Companies free of cost, is, we think, the most appropriate and the only kind of assistance which the Government should lend to these companies."

But what, if, without a guarantee no company can be found to construct a railroad? This question appears not to have been considered, nor even the idea to have occurred to the members of Government. It is but fair, however, to observe, that in April 1846, the circumstances which have made it necessary for Government to guarantee some dividend in order to induce capitalists to embark on these undertakings, were but imperfectly known or developed.

The next point considered is, "The expediency of a perfect control being exercised by Government over the plan and construction of railways, and over the management of them

when open for public use." The answer of Government affirms that such control is expedient. We should be disposed to demur when we run over the list of departments and functionaries attached to Government; but in the appointment of Mr. Simms we hope we have an assurance, that the powers of control, as it respects "plan and construction and management," will be given only to the most competent persons; as Government has begun, we may hope it will go on; its civil engineering appointments we may from this instance believe are to be open to competition; for railway works we may hope England is to be its school, and by a wise policy we doubt not it will be found that this noble school for public works will send to these "climes of the sun" some of the brightest names in practical science.

We now turn to the Minute of the Governor-General, and are much mistaken, if his Lordship has written any State Paper in India on which he can reflect with more satisfaction, or which will more worthily illustrate his sagacity, penetration, foresight and practical wisdom as a statesman. We will give the substance of it with a brief and rapid comment. It begins with the usual exordium, expressing a general concurrence in the view taken by the President of Council, and as regards the *line*, sanctions the *grand trunk* line; which line chiefly, if not exclusively, appears to have attracted his Lordship's attention. To *its* peculiar and superior advantages, in a military, political and commercial point of view, the encouragement which he would counsel the Court to give to railroads, has exclusive reference; indeed, we are not aware that any other line offers comparable political and military advantages (if any such advantages at all) to Government. As to the *land* the Governor General is of the same opinion as the Council, viz. that "it should be procured by the sole agency of Government." But as to the *encouragement* which Government should give, the Governor General is much more liberal than the Council. "I am of opinion that the assistance to be given ought not to be limited merely to the land;"—and for these reasons, 1st, that the value of the land, (estimated by his Lordship at £200 a mile) "is not commensurate with the advantages which the State would derive from rapid and daily communication from Calcutta to Delhi; and 2ndly, that English capitalists, in the absence of information as to the probable expence of construction and working, will not enter into the speculation without more substantial encouragement from the Government." The event has proved the correctness of Lord Hardinge's judgment, and the point of view in which

his Lordship has considered the subject is that which eventually must be taken by the authorities in England. His Lordship next refers to the considerations which give the grand trunk line a claim to the assistance of Government: these considerations are (as already noticed) the political and military importance of the grand trunk line, as well as its utility to commerce in general. As to the amount of assistance to be given:—"The calculation of the contribution to be given, would be based on the political, military and commercial advantages which would be derived from the completion and full operation of such a line:" at the same time, as these advantages include many not susceptible of arithmetical calculation, and really are of paramount importance, we believe the conclusion to which his Lordship would lead the Court is, that whatever encouragement or assistance may be necessary ought to be given: and believing this to be his Lordship's opinion, by no forced construction, we may pass over his several details, which we regard as mere examples, by no means meant, as exhibiting the entire components of the sum total of pecuniary benefit the grand trunk line will bring to the government; on the contrary, his Lordship mentions £50,000 as saved by army reduction, only because that is a noble item, and well knowing that if his Lordship had employed his official influence also to make out the *littles*, they would have proved the proverb, of "many littles making a muckle," and in the result he would have shown that compared with the palpable saving a railway will occasion, the most liberal idea hitherto entertained of encouragement is really a trifle. In one respect, however, his Lordship betrays a mistaken impression; he appears to think no aid from Government will be needed until the line is completed; something to that effect, according to our recollection, was said by Mr. Stephenson; but circumstances have changed, and as aid is needed at the commencement we think it clear, from the whole tenor of the Minute, that Lord Hardinge would decide in favor of its being immediately given.

We must not omit to observe, that the Governor-General has in no degree sanctioned the maxim that the chief objects of railroads are political. The time is to come when "the sword shall be beaten into the ploughshare," and then what becomes of such a maxim and its consequence? Why should their chief objects be political in India any more than in England? Lord Hardinge's Minute also abstains from asserting that railroads ought to belong to government; it rather implies the opposite principle; for it distinctly states that, "if it could be assumed that the whole cost of the speculation, as is usually the case

in England, would repay the adventurers by the traffie in passengers, it would be more prudent to leave *the whole affair in the* hands of the Company; the State here, as in England, deriving its advantage without interfering with the profits of the Company." The Indian Government is no better or not so favorably eireumstanced for any kind of interferenee with railroads as the English Government. As a government it can only command for railroads, the skill whieh it ean rear at Addiscombe; and while it would be under very great disadvantage, compared with a eommercial Company, in the open market of skill and talent, it may obtain by stipulation and contracts under legislative sanetion all the benefits it can require as a Government. Let us however be eandid and admit that a new element is introduced into the question, if Railroad Companies require the assistanee of Government. If a propietory interest is forced upon the Government, it may plausibly elaim a proprietory influenee; though it would be wiser, as we think, to take engagements for repayment of its advanees, at the earliest possible day; to regard itself as a mortgagee out of possession rather than a part owner, joint tenant or tenant in possession. We can scarcely doubt that when Lord Hardinge, with the Minutes of Council before him, penned the passage we have quoted, he was impressed with this opinion; and the differenee in this respeet between his Lordship and the opinions of Counеil is just the usual difference between English and Indian politieians and statesmen, in their ideas of the eompetenee, function and province of Government, and the seope and efficiency of the enterprize of individuals.

In taking a general view of the papers just notieed, we must say, that, in none of them, exeept that of the Governor-General, do we find any indication of an adequate and statesman-like appreciation of the varied importance of railroads; or any disposition to make a sacrifiee for the establishment of them: and the perusal somehow tends to generate the impression that the writers think it is not particularly desirable to eneourage them; that India may still do without as it has hitherto done without them. They take, as we apprehend, a disparaging view of these great instruments of eommerce and social intereourse: they regard them mainly as "instruments of Government"—a fallacy, we apprehend, whieh has eaused the neglect of the roads hitherto, and is pregnant with conelusions as to railroads, which if carried out, will establish a defective and erroneous system. Taking the view we do of this fallaey it deserves eonfutation. If roads are instruments of Government why has India so few of them? If roads are instruments of Govern-

ment, why is the new Benares road still unfinished,—projected and began as it was, so many years ago, by Lord William Bentinck? and why, when it was begun, was the old Benares road allowed to go to ruin? Did Bancúrah, south of the Damúda, cease to need a road, when Burdwan got one? No, but Government no longer wanted the old road when it got a new one, and roads are instruments of Government. See here the fallacy in conjunction with the mischievous practical consequence. We purposely use this illustration to shew that the very narrowest view that can be taken of public roads is to regard them as instruments of Government. The fact is that so long as the Company continued to be a trading corporation, or to so recent a date as 1833, it was the established policy of Government to exclude Europeans: and we state it as a simple historical fact, that Government, up to that time, felt surer of its own interests without roads than with them. Mr. Williamson, the Bombay civilian, makes the same complaint of the want of roads, and enforces it by illustrations. His facts are well deserving of consideration. The cotton cultivators in Western India are reduced, by the mere want of roads to a state of great depression, and the cotton trade is on the verge of extinction. Speaking of Western India, Mr. Williamson says, "During the great number of years during which we have held possession of the country, the extent of *made* road along the grand trunk lines of communication does not, exclusive of cross roads, exceed 350 miles, and these are very ill furnished with cross lines of communication." Thus, "from Panwell, the port of communication with Bombay in the direction of Calcutta and the great cotton district of Berar, the *made* road extends only a distance of about 150 miles." We hardly know how to give our friends in England a parallel by which they may understand the real state of things. It is in some respects as if Birmingham was inaccessible from Liverpool without going round by London, and there was no road for nine-tenths of the way between London and Birmingham: how could Birmingham export its hardware any more than India its cotton: Birmingham would have no existence; or, it is as if London was wholly cut off from all communication with Scotland. Rather we must go back to the days of Boadicea for a parallel in England. Again, says Mr. Williamson;—"the only great trunk line in existence is that in the *direction* of Mhow, Malwa and Agra, of which I am told less than 200 miles had been finished, and this portion was not one year ago opened to wheel carriages;" nor, let us add,

is it open at present: how then can it be said to be finished, or how said to be a grand trunk line? Mr. Williamson looks on the map and sees, as we do, in what direction the great lines of communication must pass, and as Government of course resolves to have them, by an euphemism he gives them the name of grand trunk lines, as if they were undertaken, but they are so merely in conception; they are no where to be found but on that floor which has been described as paved with good intentions, and so numerous and intersected there are they, that their very authors and projectors may well lose themselves amongst them. Again, Mr. Williamson says:—"There are but twenty miles of made road along the great line from Bombay, in the direction of Surat, Baroda, and Ahmedabad, and none beyond Púna or Sattara, in the direction of Madras." That is, there is no road at all from any one great city or town to any other great city or town, because roads are instruments of Government, and the Judge, Collector and Magistrate can dispense with them. But commerce cannot dispense with them: not only is Lancashire deprived of the supply of cotton, which Western India is so capable of giving, but the India merchants are losing the China market for this great staple, which is being now supplied by the Americans, who having roads and no tax on agriculture can undersell the East Indians. Judging from the past, the very worst fate which can happen to railroads is, that they should be regarded as instruments of Government; whether they would ever be more than resolved upon, is doubtful: that they might be begun, is just possible: but that, in twenty years, 200 miles for all India would not be completed, we deem by every analogy absolutely certain,—and alas! for the locomotives and lives that should be risked upon them. Capitalists and railroad-companies, merchants and manufacturers, Lancashire and Glasgow, Liverpool and London, people of England, take warning.

In these remarks we have confined our discussion to premises announced in the Minutes of Council, but cognate or similar views are entertained in England, where a party or sect, at the head of which is Mr. Morrison, is endeavouring to take first the management and eventually the property of railroads from the railroad companies or present owners and put in place of these the Government which is to be represented by a new Board or Department. In England such objects cannot be attained by mere ingenious fallacies or audacious maxims, but must go through the ordeal of a full and free discussion; a controversy of this kind is going on at present; and from the pamphlet of Mr. Salomons, we learn that the advocates of the

contemplated change of system chiefly rely on the examples of France and Belgium, which countries they consider much better off in respect of railways than England, and, therefore, they would introduce the French system. How far they are correct in their facts, we will shew from the pages of Mr. Salomons, and, failing their facts, we may leave our readers to characterize their conclusions. The subject is pertinent here, because the views of the local Government of India appear to coincide with those of Mr. Morrison, and his friends. One fault which these parties have found in the English railroad companies is, that starting with greater advantages for construction, English railroads have cost more than the French ones. Such is the charge made by Mr. Morrison. As to the greater advantages enjoyed by English companies at the commencement,—it is an unfounded assumption: "had England," asks Mr. Salomons, "the benefit of another nation's experience? Had it all the machinery of construction invented to its hand? Is it a less hilly country than France? Look at the surface of France—observe the works on the French railways, and then decide which country is best adapted for a cheap construction of railways. Note the undulating character of English scenery and then remember the extensive and level plains of France. Bear in mind the heavy works on most of the English lines as they struggle to get away from London, the tunnelling through the chalk range and other great achievements too numerous to mention and place them side by side with the lines from Paris to Orleans and thence to Tours 145 miles, without a single tunnel; from Paris to Lille 170 miles without a tunnel or other work of magnitude, and then say through which country a railway may be most reasonably constructed, and which country ought consequently to have the cheaper tariff." So far, as to Mr. Morrison's fundamental assumption. Next, as to the actual cost, Mr. Morrison rejects from the account of cost, "the heavy preliminary and parliamentary expences and the large payment to landholders to buy off opposition." These alone, without the land, amount probably to seven per cent. of the aggregate cost of completed railways in the United Kingdom, and to these may be added, as of the same nature, a very considerable item, the expences of architectural and other constructions useless and unnecessary except to conciliate landowners who require them as screens or ornaments. But to Mr. Salomons—he justly remarks that "this way of dealing with an enormous expence is rather an off-hand mode of settling a difficulty .... to deduct from the expence of construction the sums paid for land compensation and for parliamen-

tary investigation is very much like leaving out of the calculation of a gentlemen's household expenditure, all expences beyond the cost of the daily mutton chop sufficient to sustain each individual of the family." Mr. Salomons adds,—"whether this heavy item can or cannot be reduced for the future, they present as to the past, substantial sums of money paid, and in comparing the expence of construction and the capital laid out by companies here and abroad, these must be included, and interest thereon computed to be paid as much as the bill of the contractor for making the line or that of the ironmonger for furnishing the rails."

Next it is alleged that the English companies with a prospect of a greater traffic than the French, imposed considerably higher tariffs for goods and passengers than are established on the French lines. Now, as the traffic rates must in some degree have reference to the amount of capital expended in the construction, the complaint, supposing it true, is of the less weight, because that capital is not correctly calculated by Mr. Morrison, and moreover, a very large portion of the capital expended is supplied by Government. But when English and French tariffs are compared in detail, it appears that the English are the lowest, and that Mr. Morrison is again mistaken. The passenger fares per head are a fraction lower on the French lines: but on the French lines less luggage is allowed to each passenger, and the extra cost of luggage raises the French rates above the English ones: "the very few travellers whose luggage weighs under 33 lbs. travel a fraction cheaper than on the English lines." Mr. Salomons illustrates this by comparative tables: "few persons are aware," he adds, "of the profits that might be derived by (English) railways if a limitation of passenger luggage, similar to that which prevails in France, could be insisted upon." Then again in England, there are day tickets at half fares and return tickets at the end of the week at half fares also, "a policy adopted by the railways themselves without either Government compulsion or Government suggestion." Then compare the rates and taxes paid by the French and English lines, the total payment of rates and taxes, including passenger duty by the Paris and Orleans, *during the year* 1846, was £7,080! the *half* year's charges on the South Western, a line of about the same length, amounted to £14,083. In England 3 per cent. per annum is paid on the net proceeds of every railway as a property tax on the profits of the undertaking. "These very considerable items," it is justly observed by Mr. Salomons, "forming part of the local or public taxation of a country, if

not paid to the state by railway proprietors, must come from the purses of the people in another shape, as taxes levied on their real or personal estate or on their profits, and therefore must be added to the railway charges."

But we have still to notice Mr. Salomons' statements respecting the rates for merchandize and cattle: these and carriages and horses are carried much ("infinitely," is Mr. Salomons' word) cheaper in England than in France, and he proves it by tabular statements. "In France the companies enforce the maximum passenger rates; in England the rates are considerably within the limit permitted by law, and with one single exception, the tendency of railway fares in England has been towards a gradual and uniform reduction of charges, both for passengers and merchandize on the part of every incorporated company."

The questions above discussed concern the interests of the public as individuals: it clearly appears, that those interests would be no better served under the French, than they have been under the English, system. But there are other interests also to be considered, those of the state; and Mr. Morrison complains, that the state has gained greater advantages under the French system. This topic embraces the following questions: What are the advantages which have been secured by the French Government? commercially and politically is it wise on the part of Government to secure such advantages by such a bargain? and would it be expedient or practicable for the English Government to adopt the same system? We have deduced these questions from the pages of Mr. Salomons, and shall now proceed to state the information which Mr. Salomons furnishes us with concerning them: premising that the "option," which the Act of 7 and 8 Victoria gives the British Government to take all future constructed railways, appears to have been suggested by the French system; to which, if we may use the expression, that provision has just given a footing in England.

The great advantage on which Mr. Morrison emphatically dwells is the "rule which has been laid down for many years, to which no exception is allowed that every railway shall after a greater or less number of years become the absolute property of the state." The French system is for Government to reserve the reversion; our President of Council proposes the same thing; the Act of Victoria, putting in the small edge of the wedge, only secures an "option." The term varies under the French system from ninety-nine years as a maximum to less than twenty-five years. A reversion after ninety-

nine years may, as Mr. Morrison observes, "appear a very remote benefit;" but a reversion after twenty-four years is a provision of which even "the generation now living will feel the advantage:" Mr. Morrison adds, "if the present views of the French legislature be carried out it will be found that in little more than forty years all the principal lines of France, forming a complete system of communication between all parts of that country will, with very few exceptions, revert to the state. They will then, if worked for revenue, constitute a property compared with which the largest treasure amassed in former times by any sovereign or state shrink into insignificance." Now, first as to the leases for terms so short that the living generation may enjoy the reversion. Government was enabled to impose them through reckless competition, railway excitement, and peculiar circumstances. We cannot, therefore, regard them as creditable transactions on the part of Government; on principle, it is little better than seeing two combatants eager to destroy one another, stepping in and robbing the one whom it crowns as victor. But, in one of the cases alluded to, the reckless price offered in the shape of a short lease, was bid in order to enable the company to secure a monopoly to themselves of the traffic between France and Belgium, and therefore greater interests were sacrificed to the advantage of an early reversion.

Next, as to the price or sacrifice paid by Government. In the case of one short lease line, the Government provided the land, constructed the line at its own expence, and prepared it for the ballast and the rails, which the company had to furnish. The latter became the property of the Government at the end of the lease, the working stock furnished by the company being taken at a valuation. The assistance granted by Government is computed at *five eights* of the entire expense of making the line. It must strike the reader here how similar are the advantages gained in France to those claimed in the minute of our President of Council: but the President would advance no capital; give no guarantee even of any dividend, and nothing but the land, which being valued at £200 a mile is, instead of 5-8ths of the expence, as contributed by the French Government, a seventy-fifth part only: His Honor claims the benefit but wholly renounces the burden.

Mr. Salomons very pertinently discusses, in a financial and political point of view, "the principle on which the French Government grants assistance to railways by means of subventions, as they are called, to the companies"—which is in effect our third question. "The object aimed at by the French

Government is, not only to have the control but the entire possession of all the grand lines of communication, precisely as they are possessed of the existing high roads. These roads are not, as *in England*, maintained by tolls levied on those who benefit by them, but by the Government, who also exercises a control over travellers by having all the postmasters at its command. In its railway policy the French Government has the same ultimate object in view, and as it is inconvenient to comply with the pressing demand for railways by incurring the whole expense of making them all together, with that of the necessary working stock, this charge is divided by the French system, and is borne in part by Government and in part by public companies." Now, no English railway has been, or ever will be, constructed with similar aid from Government: nor, we may affirm, will any Indian Railway, because a guarantee of four per cent. interest for fifteen years on three millions (one-fifth of the capital) is the utmost aid that can be obtained for the construction of the grand trunk line, from the imperial Government.

The financial light in which Mr. Salomons places the bargains of the French Government is well deserving of attention. "If," says he, "we grant a million of money raised by taxation and applied to the formation of a railway by Government, as an investment on behalf of the nation, we are bound to calculate how much this million of money would amount to at the end of thirty years, or, in other words what would be its improved value at that time when the railway will revert to the Government. If this million of money had been left in the pockets of the industrious classes from whom it must be drawn in the way of taxation or loan or both, we may reckon it would have realized in aid of the national wealth five per cent. per annum. Reckoning, therefore, the improved value of this million of money reverting to the nation at the end of thirty years, we shall find that it amounts at five per cent. compound interest to the enormous sum of £4,500,000. At this rate the French Government must pay [have paid] upwards of eleven millions for the Orleans to Bordeaux line." Yet the reversion for which the French Government pays thus exorbitantly, our Indian statesmen aspire to get for next to nothing. Mr. Salomons further argues that Government by securing the reversion to itself, ties up its hands for the interval, however strong the occasion may be for legislative interference: and this Mr. Salomons justly regards, as a strong objection to the French system.

It would be foreign to our purpose to enter upon all the

topics discussed in the very able pamphlet of Mr. Salomons, and we have drawn from it enough already to enable our readers to appreciate the French system; it appears that the advantages, its chief merit, which it has secured to Government, have been purchased in violation of sound financial principles, and at a price which the people of England would regard as a bad bargain; moreover they are advantages which would scarcely be regarded as such by the English people; they involve the practical recognition of principles which are indeed French, and are wholly alien to the character of the English people and to English institutions: and then, as to what commerce is immediately concerned in, the English rates of traffic, rate for rate, are lower than the French, and very much lower still, if considered relatively to the cost of French railways excluding the amount of subventions contributed by the French Government. As to any oversight on the part of the English Government in not securing privileges in the carriage of troops or stores or mails, it may be corrected without a change of system. And in conclusion we will observe, that we regard the advocacy of the French system, as an attempt to arrest the free course of enterprize and capital, destroy profits and introduce a new taxation;—and that, on principles, which the English people abhor: if railroads are monopolies in the hands of Companies, what would they be in the hands of Government. With reference however to Indian railroads we should be far from asserting that their introduction might not justly be made the occasion of an increase of revenue in the Lower Provinces, where the land revenue is permanently settled, and land, it is said, cannot in good faith be subjected to new taxation. We would not propose to disturb the Permanent Settlement; it was certainly a wise, an indispensable measure with reference to the state of agriculture and the condition of the people at the time it was declared, and to the circumstances under which Lord Cornwallis, its author, found himself. But we cannot see why it, any more than the land tax in England, should be regarded as an obstacle to fresh local taxation on land founded upon new valuable considerations. Roads and railroads and bridges, are of this description; and we should be glad to see Government making a graduated assessment on every square mile which would certainly be enhanced in value by them: many miles of country on each side of a new road might we apprehend be subjected to new taxation, and a fund thus be raised for the formation of cross roads, and a system of communication be established which will be a boon to the population and a

source of commerce for the people of Great Britain: the resources of India cannot be developed without roads, and we shall never have them except through the medium of some such system of taxation.

We will next notice briefly the report on the project of the Diamond Harbour Dock and Railway Company, which is for the establishment of Wet Docks at Diamond Harbour and a Railway and canal from the Docks to Calcutta. We regarded it in our last article chiefly as a Railway Company, but we now see that the construction of the Docks, as Mr. Simms remarks, must be considered as the main feature and the railway as subordinate thereto, because it would be dependent on the docks for its traffic and would neither be wanted but for the docks, nor would it answer. At the same time we must observe that the railway, though subordinate, is an essential feature, because docks without it could not answer at Diamond Harbour. This dock must have a railway, and the railway statistics, connected with it are important because another site offers which would not require a railway. The report discusses first, whether docks are necessary or required for the purposes of the commerce of Calcutta? That they are necessary we will not affirm; but that they will become so, and the want of them be increasingly felt every year, cannot be doubted. The tide way of a great public river, in a tropical climate, under exposure to sun, rain, winds and storms, obviously cannot afford a fit and proper place of anchorage for ships, in great numbers, of great burthen, as very many of them are, and with all sorts of cargo, which it is impossible to protect on the river from plunder. No where we think, all circumstances considered, can a stronger case for wet docks be made out than at Calcutta. On this part of the subject Mr. Simms writes as follows:—

"8. The present accommodation for the Shipping frequenting this port is in the River Húgly, where they lie at anchor in the tide way opposite Fort William and the City of Calcutta: the extent of accommodation is about 4½ miles in length, averaging about 300 yards in breadth. The large ships anchoring only in one line about the middle of the Channel. It will be evident that the ships are thus much exposed to danger from a variety of causes, and serious accidents and losses have occurred from storms, the violence of the bore, fire, and other causes, which would all be obviated by a well regulated Docking Establishment.

9. During the time of the freshes when the river is swollen by the waters from the interior of the country, and these waters in their downward passage meeting the spring tides produce a troublesome and inconvenient. if not dangerous agitation or flurry in the waters, so much so, that, as I am informed, it has been found necessary in some cases to cast off the steamers from the ships which they were towing. As a proof of the strength of

these freshes, it frequently happens when at their height in the months of August and September, that they prevent the tide advancing so high up the river as Calcutta, and according to the information I have received (from respectable authority) ships have at such times, before the introduction of steam towing vessels, been detained as long as ten days off Garden Reach, without being able to get up to Calcutta. And in August 1840, the ship '*Gloucester*,' belonging to John Husband and Co. lay at Calcutta nearly a month without swinging once, but rode with her stern down the stream.

10. Besides the liability to accidents to the shipping, very great opportunities exist, and are made available for the plunder of merchandise, and fraud to an enormous and unknown extent. This is admitted by all parties, and on which account I believe that there are none who would not advocate the construction of docks as the only sure remedy for so great an evil. This system of plunder, or river piracy, is not peculiar to Calcutta, it exists in all ports, and has only been subdued, or annihilated by enclosing ships, with their export and import cargoes within lofty dock walls, allowing of ingress and egress only through certain well guarded gateways. To such an extent was the system carried in London, that its prevention led to the construction of the first public docks at that port, and was the chief argument adduced before Parliament, to obtain the legislative sanction to that project."

The Wet Dock Committee* also reported that wet docks would be in every respect beneficial to the trade of the port, the Government (or Custom House department) and to the shipping interests. The next question is, which is the most eligible site for their construction. Two sites are proposed: Kidderpore, a suburb of Calcutta, which is recommended by the wet dock committee, and Diamond Harbour, at a distance by the proposed railway of 28½ miles or by water about 50 miles down the river. In favor of Diamond Harbour, it is alleged that a distance of 50 miles is saved of a dangerous and difficult navigation: and some direct expense, calculated, in the case of a ship of 400 tons, towed by steam, to be equal to Rs. 981-8 (£98-3-0) and in the case of a ship of 1,300 tons drawing 22 feet of water at Rs. 1,742-12 (£174-3-6). This is a very considerable saving. But first against it, on the other side, is to be set off, the cost which, it is assumed, would have to be incurred, of conveying the merchandize along the railroad to and from Diamond Harbour, which is estimated comparatively in the following manner: £98-3-0 upon 400 tons of cargo, would give 2 Rs. 7 annas and 1 pice per ton, or about 4*s.* 11*d.* nearly: cost of railway estimated at 4*s.* 9*d.* per ton, would leave a small difference in favor of the railway, or in the case of the largest ships, a dif-

* The Report of the Wet Dock Committee ought to have been mentioned at the head of this article; it is as follows:—

Report of the Committee appointed by Government, in May, 1844 to enquire into the practicability of providing Calcutta with Wet Docks capable of containing a part or the whole of the shipping, frequenting the port Calcutta, 1845.

ference of 13*d.* per ton. But then, this is a fallacious calculation in two respects; because, of the smaller and more numerous vessels, many do not use steam; and consequently, not incurring, would not save this item of expence, though something doubtless they would save by stopping at Diamond Harbour; and moreover of the entire number of vessels, great and small, many come in ballast; more with short, and scarcely any with full, cargoes; and consequently they would bring little tonnage to the railway. But again; the registered tonnage of the ships is used as the criterion or basis of the calculation of the probable traffic on the railway. The aggregate receipts from the railway are stated at £163,893, of which only £7,500 is put down for passenger traffic, and "the rest,—being £153,393,—is put down to the following item:—Tonnage on the rail as per returns inclusive of three-fourths of the import registered tonnage 613,575 tons at 2*d.* per mile per ton for 30 miles—£153,393." This, we apprehend, is not to be in the least depended upon. The registered tonnage of ships is no real criterion at all of the probable traffic on the railway; because, 1st, as to the *exports*:—of the entire exports, a very considerable proportion is brought to Calcutta by native craft down the Ganges either viâ the Sunderbuns or the Bhagirutti: that part of it which comes by the Sunderbuns would of course be discharged at Diamond Harbour, without coming at all to Calcutta, and consequently would not come on the railway; and that other more considerable part which comes by the Bhagirutti, would most probably be carried on to Diamond Harbour viâ the river, and would also not go on the railway; and from these two causes which apply to the anticipated exports passing by the railway, the tonnage under this head would probably be less by four-fifths than is supposed by the Chairman of the Company. And, 2dly, the same reasoning applies to the *imports*, though less extensively: the portion, going by native craft especially, via the Sunderbuns, if not also that going by Steamers, would, for greater economy generally, be taken on board at the docks, and be carried up the country without touching Calcutta, for the very purposes of saving the charges of the railway. The estimates here discussed are those of the Chairman of the Company: they are not adopted by Mr. Simms, nor do they agree with the independent estimates of the Wet Dock Committee as to exports and imports generally. And looking at the project of a dock and railway as an investment of capital, made in the hope common to most shareholders, of receiving some interest for their money, we should strike from the estimates

that portion of the receipts attributed to the railway traffic; and simply consider whether the dock charges would bear the extra expence of a railway: in our opinion they would not, and the railway would be a source of heavy loss to the company until railway communication is extended up the country; and then we doubt not a railway extended to Diamond Harbour would answer. But that is not the proposal of the Dock and Railway Company: on the contrary, the Calcutta Chairman of the Company (Mr. Charles Prinsep) contends for the establishment of the Diamond Harbour Railway before all others, in order to prove by ocular demonstration what railways are and how admirably they answer.

It did not escape the sagacity of the Wet Dock Committee, that the question of the site of the docks should be considered in relation to the grand trunk railway: and supposing the terminus of this to be at Howrah, the Committee considered whether the docks should not also be on that side of the river, and came to the conclusion that so far as the railway was concerned, it did not matter on which side the docks were: the grounds of this opinion were as follows:—

"The mercantile members stated in reply, that the construction of the Railway would not much affect the question of the proper site of the docks; for that the parties sending down exportable goods from the Upper or Lower Provinces were not the exporters, but that the goods constantly change hands on coming down here, and are and still would be brought over to Calcutta for sale. That with regard to goods imported by sea and purchased for sale here or in the Upper Provinces, these are invariably landed in Calcutta, and purchased by native merchants in the city, and that it is not at all likely that this system would be changed, unless the capital itself should be transferred to the other side of the river."

There is much in this passage which we might remark upon. It appears to assume that the existing habits of trade are essential, and little liable to be affected by either docks or railways. We believe on the contrary that the peculiar habits of the local commerce, as referred to by the committee, are accidental, and in a great degree occasioned by the want of docks and the opportunities of warehousing. However bulky goods may be, the buyer in prudence takes manual possession of them, in order that he may be secure against the claim of assignees, on the ground of reputed ownership, in case the seller becomes insolvent. But establish docks and railways, and sales may safely be effected any number of times without one single change of manual possession because the dock and rail-

way companies are public warehousemen and notice to them of transfer will be sufficient to secure the purchaser's right against subsequent claimants. This security is one great recommendation of the warehousing system; and it is obviously of considerable importance, to select the site of the docks and fix the termini of the railways just where, all circumstances considered, capital can be employed and the operations of trade carried on most economically. Where that may be, is a question we shall not shrink from when the proper time comes: railways and docks singly or together, will make vast changes in the local habits of commerce; if the railways could be made to terminate at the docks, and both to meet contiguously in one focal area, it would be a great economy: and, therefore, as docks and railways involve several connected questions, we think that neither the Diamond Harbour, nor Kidderpore docks can safely be decided upon, until it is known where the terminus of the grand trunk railroad is to be. The Diamond Harbour Railway as an investment of the estimated sum of thirty lakhs (£300,000 sterling) will not answer until there is railway communication to the Upper Provinces; and then it may answer, because the chief traffic in goods being by railway to Calcutta, the native craft will cease to be carriers to the prejudice of the dock-railway.

It has been remarked to us that our Western India friends have reproached us with neglecting the railway projects of their presidency. Were the fact so, we should hope it would be a sufficient apology, that as a selection only could be made, it was just to prefer the greater and metropolitan interests to the provincial and lesser. But the truth is, we did recognize the importance of opening the valley of the Nerbudda and connecting in one system of railway communication, the Agra, Bengal, and Bombay Presidencies. Every mile of rail between Delhi and Calcutta has, in our estimation, beside its immediate uses, some merit as an approximation to this object. To contend for the paramount importance, as is the fact, of the communication between Calcutta and the North West Frontier, appeared to us the best policy as well for the interest of our Western friends, as of the railway cause on this side of India. In contending for little railways, we should have made no impression on that strange medley of authorities which compose the Government over India. The case of Bombay would have weighed about as much as a case from the Marylebone Vestry. And what has the event proved? With the Minute of Lord Hardinge in favor of the grand trunk line, our rulers in Leadenhall Street will only sanction the expenditure of three millions, while the grand

trunk line. in which alone the state is interested, would cost fifteen millions, and to induce capitalists to raise the smaller sum, Government will contribute out of millions of annual revenue raised from salt, opium and taxes on agriculture, &c. what? Nothing by way of gift, but a loan of £120,000 per annum for no more than fifteen years, and repayment to be secured in a stricter manner than a private mortgagee would stipulate for. There are half a dozen Lords, if not in the whig ministry, in the party, who would engage for a greater outlay, if a pressing case arose, for the improvement of their own private estates and property. Circumstanced as railway projects thus are, with the miserable feint of support just alluded to, for two experimental lines, we will give our willing and cordial testimony to the independent merits and importance of the scheme of the great Indian Peninsular Railway, and wish it good speed with or in spite of such rulers and masters. Its advantanges, military and commercial, are clearly described by Mr. Williamson, whose letters, together with the official papers of the Engineers and Surveyors printed for the use of the Company, must satisfy all dispassionate persons of the desirableness and feasibility of the railways designed by the Company alluded to.

It was our intention to have treated in considerable detail the subject of traffic and returns, but our remaining space will permit little more than a few general observations, which we trust may inspire in others the belief we sincerely entertain ourselves of the commercial success of well planned railroads. Every source of income which railroads have in Europe, railroads will have in India. In Europe their dependence is not on the bulk of the population, on the hewers of wood and drawers of water; though, when the numerous classes travel in masses, as on fair days and holidays, railroad companies find it answer to carry them: in India railroad companies will find analogous rather than similar opportunities. In Europe, railroads depend on the social and commercial activity of the people, taking them from home to the sites and scenes of exchanges and business and pleasure. Native merchants are numerous in all the great towns in the lower Provinces of India: their goods go to different markets, and merchants travel wherever their goods do; that is, from one end of India to the other. All the commerce of Upper India above Mirzapore, throughout Oude, Sindh, the Punjab, Kashmir, Affghanistan,—(we mention these names as familiar)—is carried on by natives; and along the whole tract, in every great town for 2,000 miles to Kabul and beyond, the principals have connections, and many have gomashtas and establishments, occa-

sionally or permanently, in Calcutta; all these people are travellers, and would be greater, if there were roads and conveyances. Then there are the pilgrims to Muttra, Benares, Gaya, Púrí, and other less known places with shrines less celebrated: it will depend on the railroad companies themselves whether they will convey the poorer:—we now refer to the richer,—who in great numbers, present to the European eye on the Benares road such picturesque groups and processions mounted and in carriages with retinues of guards and servants, in a sort of solemnity and state, well betokening how rare, how difficult, dangerous, expensive, and religious is the journey. We are not painters; we can at present but appreciate this picture in a commercial point of view: whatever scruples might be felt at first, a variety of interests would soon be found to concur in inducing these people to use the railroads; until, by the diffusion of better knowledge, they be taught to use them for nobler purposes. Similar remarks might be made with reference to the multitudes of Mussulmans who assemble from distant parts to proceed from Calcutta on their pilgrimage to Mecca. Then again in India, the grand trunk railways have this peculiar advantage: nearly all the commerce between India and Europe has but two great emporia—Bombay and Calcutta—one for the western, the other for the eastern, side of India; which, together, receive the wealth of a continent whose dimensions must be described by hundreds of thousands of square miles: whose geology presents every variety of feature, and which, besides its peculiar and purely indigenous products, is capable of producing on hill, valley or plain, on some diversity of its length and breadth, almost any thing which any other country produces:—of edibles, tea,* coffee, sugar, salt,† saltpetre, rice, wheat, and other grains and seeds in uncounted variety, food for man and beast, which would make the poor at home envy even our horses:—of raw materials for textile and other manufactures, silk, cotton, flax, hemp, jute, caoutchouc, horns and hides:—of dyes, indigo, shell lac, lac dye, cochineal, &c., oils in great variety:—of gums in great variety, copaul, arabic, myrrh, &c.:—of drugs and medicines, besides opium and tobacco, a rich but little known pharmacopœia:—woods:—stones of great beauty, including marble:—besides coal, iron and unexplored mineral treasures. India also has its manufactures: Dacca its muslins; Múrshedabad its silks; Patna its candles and cloths of all descriptions: Mirzapore its carpets, rugs, blankets; Benares its embroidered cloths, shoes and a variety

* We refer not to Assam, but to the Deyrah Dhoon.

† The salt of Lahore is celebrated, and is sold retail, in Calcutta, at the rate of £6 per ton.

of other articles: Delhi and Kashmir its shawls and jewellery: Gúzrat in the Punjab its damascene blades, and almost every district some branch of industry;—the objects of a commerce capable of vast increase if better means of transit were afforded. Great as is the traffic, the establishment of roads and railroads would vastly multiply it; in estimating its actual amount, we should wish to exclude all false criteria; but some idea, it appears to us, may be formed, from the official returns of export and import tonnage from Calcutta; meaning however by tonnage, the tonnage of ships, which, however, we admit to be more than the actual tonnage of cargoes; the import tonnage in 1844-5 into Calcutta was 255,323 tons, much of which goes to the Upper Provinces: the exports 275,939 tons;—and the values for the same year; of imports, Rs. 76,926,298 (£7,692,629-16) and of exports Rs. 103,317,912 (£10,331,791-4) Similar Bombay returns we have not. We fear not to be gainsaid in asserting that the cost of carriage on imports (which include manufactured goods, the prime cost of which therefore much exceeds that of the exports) averages twenty-five per cent. before they reach the markets of consumption; and the carriage of many of the exports forms the principal part of their stated values. And whatever this amount may be, something may be added for carriage of produce of the country for local consumption from one part to another. Such is the trade and traffic, such the commerce, for whose convenience and extension the British Government will lend £120,000 per annum! which, in all probability, would not have been needed in the present day, had not the shores of India been till recently under blockade against the free immigration of our countrymen, in whom the commercial monopolist Company of former days could see only hated rivals.

On the varied grounds of political, military, commercial and social utility, we have on a former as well as the present occasion pleaded for the establishment of a general system of railways: and sure we feel that they will ultimately repay the undertakers: but we also desire them from considerations of philanthropy, for the sake of the physical, moral and religious amelioration of the prostrate millions of India. We will confess, moreover, to the derided virtue of patriotism as urging us to this advocacy: we should regard it as highly glorious to the British Crown and honorable to the British people, to enstamp on India and Asia this most characteristic symbol of the civilization of the nineteenth century, which at the same time is peculiarly British. As far back as the sixteenth century, tracks of wood for the wheels of waggons, in other words, *Wooden Railways*, began to be employed in the vast coal

fields in the north of England: and in the year 1767, Mr. Reynolds, of Shropshire "first put the crude materials of roads into the crucible of the refiner, and thus introduced the use of rails wholly of iron." In 1789, Mr. Jessop, a manufacturer and engineer of distinguished eminence, "had the merit of first employing the edge-rail. About ten years afterwards, Mr. Benjamin Outram introduced the plate-rail, with props of stone at the joinings of the rails instead of timber: both the edge and plate rails were made of cast iron; and in the year 1811, the former was first made wholly of malleable iron at Lord Carlisle's coal works in Cumberland." For twenty years more, the only motive force applied to the Rail was the horse. And, at the present day, it is not a little amusing to glance at the numberless experiments so anxiously conducted, in order to ascertain "the effective power of an active horse" on all the varieties of level and inclined planes;—experiments, involving discussions about the proper criterion of animal strength to be employed—leading to the use of new mechanical instruments such as the dynamometer—and often terminating with grave lectures on comparative anatomy and muscular motion. But the immense extension of manufacturing industry and the successful application of steam, as a propelling force, to vessels on rivers, lakes, and seas, paved the way for experiments which issued in the triumphant application of the same potent agency to Railways. The opening of the Manchester and Liverpool Railway in 1830 was the signal for the introduction of the improved Railway system into almost every region of the civilized world, on both sides of the Atlantic, with a rapidity and to an extent, hitherto unparalleled in the history of the useful Arts—achieving prodigies of speed which convert the fables of Romance into the records of every day reality—and involving the voluntary expenditure of private capital surpassing in amount the hoarded stores of the mightiest potentate that ever seized or monopolized the wealth of subjugated kingdoms. And, now, what we plead for, is, the introduction, at once, into these Indian realms, of this most notable and worthy product of British genius, perseverance and industry, in its last and most perfected form, with all the concentrated advantages of past progressive improvement and accumulated experience. What a glorious contrast does the very prospect of such a consummation hold out in favour of British sway! Age after age, did the greatest of India's monarchs strive to perpetuate the memory of their name and rule, by lavishing on "Paynim" mosques, and idol temples, and proud mausoleums, those treasures of "barbaric pearl and gold," that were cruelly wrung from the tears,

the cries, and the miseries of a suffering people. Let it now be the glory of Imperial Britain, to confer on the same people a boon of inestimable value, in the form of a work of the greatest extent and utility which the world has yet seen;—a work, which, by its facilities of intercommunion and rapid conveyance of the superabounding products of an exhaustless soil to the great emporia of commerce, shall help to arouse the dormant energies of millions—quicken their intellectual and moral powers—dissolve the spell of a thousand habits and customs consecrated by the superstitious reverence of ages—stimulate the creative industry that shall transmute the pestilential marsh into a healthful garden, teeming with fertility and verdure, and, by its incessant encroachments, literally cause the very desert "to rejoice and blossom as the rose;"—a work, which, by the multifarious influences thus called into action, and the varied salutary tendencies thus enduringly impressed, shall, as an auxiliary to all other reformative agencies, lend its effective aid in contributing to raise long prostrate India from the dust, and exalt her to her rightful position as one of the most magnificent empires under the sun.

P. S.—At the time we are writing, no advices have come of any company having accepted the terms proposed by Government.

Since the early part of this article was written, we have had the good fortune to obtain sight again of the document alluded to at page 326, and dated towards the end of 1846. It is, we now find, in the form of a letter from a public office to an English mechanic whom the local authorities had engaged, but disappointed for the reason alleged in the letter; viz. that

"the Hon'ble the Court of Directors have given positive instructions prohibiting the employment of other than their Military Covenanted servants in the subordinate grades of the Department of Public Works."

The existence of such an order we extremely regret. To us it seems at once improvident and unjust to make employment in such a department as that of Public works, a monopoly. For the superintendence and execution of many of those works, working mechanics are much better qualified than military officers. The mechanic can lend a hand, as well as superintend, if necessary; while his services are cheaper. Lastly, such an order is an impolitic, and, according to the principle of the Charter Act, unconstitutional interference with the local authorities who must be the best judges on such details, and would err, if at all, on the side, of an undue preference for the covenanted services.

ART. III.—1. *Les livres sacrés de l'Orient. Par M. Pauthier. Paris,* 1840.

2. *Y-King, antiquissimus Sinarum liber quem ex latinâ interpretatione P. Regis aliorumque ex Soc. Jesu P. P. edidit Julius Mohl. Stuttgartiæ,* 1834.

3. *The Works of Confucius, by J. Marshman, Serampore,* 1809.

4. *Le Chou-king, traduit et enrichi de notes par Feu le P. Gaubil, &c. revu et corrigé sur le texte Chinois par M. De Guignes, &c. Paris,* 1770.

5. *China, or Illustrations of the Symbols, Philosophy, &c. of the Chinese, by S. Kidd. London,* 1841.

THE contrast between the people of Asia and Europe is not less striking than that between the physical peculiarities of the two continents. Ever influenced to an extraordinary degree by the circumstances in which he may be placed, man exhibits in every different situation a different appearance. The burning deserts of central Africa, with their arid clouds of sand, are not more strikingly dissimilar from the hills and plains and forests of Europe, than are the wild negro tribes who wander through them, when compared even with the rudest of the European races. But even here the contrast is scarcely so striking as it is between the occupants of Asia and of Europe. The thickly peopled plains of India, of the Burman Peninsula, and of China, are, it is true, as different from the vast plains of central Asia as the Hindus, the Burmese, and the Chinese are from the wandering Tartars and Mongolians. All these are more or less contrasted with each other, but how slight do these differences appear when compared with those that present themselves, if we view together the civilized races of Europe and Asia. The Frenchman and the Chinese, the Englishman and the Hindu, the Italian and the native of Burmah are a kind of intellectual and moral antipodes to each other, differing, not less in their modes of thought and manner of life than in their dress and languages. The Frenchman, the Englishman and the Italian have yet a certain similarity to each other, just as the Chinese, the Hindu and the Burmese have, however they may differ in minor peculiarities. The causes of this striking contrast it will be well for us shortly to investigate as being immediately connected with our present subject.

The Physical Historian of the human race will, perhaps, point to his division of mankind into different families as the true explanation of the question. But this cannot assist us,—

it is but giving a different name to our enquiry, and unless he could shew us why the mind of the Mongolian appears to differ in its structure from that of the Circassian, as much as his body does in form, his nomenclature and subdivisions are of no avail.

It will be evident to every one who reflects on the matter, that no *one* cause or varying circumstance could have brought about so great a difference, and that we must look for its true explanation to a number of different influences co-operating with each other. There can be little doubt then, in the first place, that climate has a very considerable influence on the human frame—no one will probably be found to deny its influence on the body, although some may doubt whether it can affect the mind. Yet so intimate is the connection between the two, that a simple induction would lead us to believe, that what produces a difference in the one would have an effect, however small, or however evanescent, upon the other. That there *is* a difference between the habits and modes of thought amongst the inhabitants of the icy regions when compared with those of the torrid zone, cannot, we imagine, be doubted. The constant occupation of the mind upon one class of subjects different from those on which the others are employed, would, in itself, be sufficient in course of time to give it a bias or form differing from that impressed upon the other. The inhabitant of the icy regions, for instance, sees all nature around rugged and forbidding—bleak masses of rock, and no less bleak mountains of ice, are his constant companions. A perpetual war with the elements must be kept up even to support his life, and with a cheerless sky above him and a freezing atmosphere around, what wonder if he accustom his mind to melancholy and gloom? In the torrid zone, on the other hand, we see the swarthy inhabitant placed in the midst of nature's prodigality and unbounded fertility. He rests beneath the shade of a tree, and enjoys a delightful temperature—the forest around him supplies him with food—flowers are in his path, the woods are full of beautifully-tinted birds, who may delight him with their songs or plumage; in fact all nature calls him to enjoyment. What a mind must his be, if no fertile imagination bounds in it—if no contentment and joy take possession of it—and if it does not exult in the happiness of every thing around? Will it be said then, that an experience of even thirty years in two such different situations would not give rise to differently constituted minds? These of course are extreme cases, but if an extreme difference of climate would produce a difference in the modes of thinking and feeling of two races, every less difference would have a correspondingly diminishing influence.

In this manner, we conceive it may be shewn, that even his local situation and the circumstances that attend it have some influence in moulding the mind of man. If this be true, then, there can be little doubt that here we have at least one of the causes of that extraordinary contrast between the mind of Asia and Europe. How different is the local situation of Greece from that of India and Persia! and, again, as there is a general similarity between the vast plains of India, China, and Mongolia, so is there also a general similarity between the narrow peninsulas and islands of Europe, Greece, Italy, Spain, France, Scandinavia and Britain. In the one case we have regions of excessive heat and excessive cold, in the other a climate rendered more or less temperate by the breezes of the ocean, and as there is a general similarity in the climates of Greece, Italy, &c. and in those of India, China and Mongolia, so is there also, as we have before stated, a reigning individuality, so to speak, in the mental manifestations of the two classes of countries, otherwise so strangely contrasted with each other.

Another, and a no less striking difference between the two, existed in the periods at which civilization reached them, and in the form of that civilization. Assuming, what indeed is almost an ascertained fact, that the great religious sects of Asia, took their rise somewhere in the North of India, or in Persia, we may speak of Indian civilization, as being in its great elements, identical with Asiatic civilization generally. Now, history assures us, that Europe received the elements of its philosophy, its religion, and its civilization from the East. In the East, then, these elements first existed, and it is therefore to be expected that they would exist in a different form from that which they assumed in the West. They were rudimental, and unformed, a *rudis indigestaque moles*, a vast and ill-understood synthesis, which although of practically little influence on the mass, was yet stamped with the brand of religion and orthodoxy, and thereby prevented from being examined or analysed. But into Greece and Europe they came in a very different form. The quarry was too large to be introduced in all its original bulkiness, and thus it came to be imported piecemeal. One philosopher and another got possession of this portion and of that, moulded it as suited his fancy or his inclination, and then threw it in, as another element of change on the stormy sea of Grecian institutions. In this way was it broken up into detached fragments, and much of the bad was rejected, whilst a great proportion of the good was introduced. Had the spirit of the East invaded Greece, at the outset of its career, in all its original entirety, Europe, like

Asia, would have settled down under a yoke of religious domination and tyranny which perhaps it might have taken ages to break, if even ages could break it. Here, then, we have another great distinction between the influences ruling the Indian and the European mind. The one was confined in a dungeon, vast indeed and almost boundless, but yet by an adamantine chain from which there was no escaping—the other had a field of vision and enquiry, vast as the universe, and over which man might range as he pleased. The modes of thinking, the objects of thought, the sciences he should cultivate, the way in which he should cultivate them, were all laid down for the Asiatic by what he believed to be the very finger of the Almighty—the Grecian took these modes of thinking, these objects of thought, these sciences and methods, and added to them or diminished them as he pleased. Once indeed in Europe that very chain of which we spoke —the chain of religious dogmatism—was implanted on the human mind, and what was the result? the darkness of the middle ages, a darkness as impenetrable as that of Asia, without its vastness and sublimity. Once again, that chain was broken,—Wickliffe tried its strength, but it was beyond his power to rend—it was reserved for the great German to snap it in two, and what has been the result? the civilization, the science, the gradual advancement of the seventeenth, eighteenth and nineteenth centuries.

The East then received the elements of its civilization and social institutions in a different form from that in which they were introduced into Europe, and to this reason, probably, we may ascribe a great part of the subsequent contrast in the development of the two.

Nor, perhaps, is there any point of contrast more striking in the ruling influences of Asia and Europe, than that which has been hinted at above,—the stamping of all philosophy, all science, all art, and all the social relations, as proceeding at once from God. Every thing was, therefore, true or false, to the Asiatic according as it accorded with or differed from the standard of all truth—his religious works. Now, as has been already hinted, unless oriental philosophy had been introduced into Europe in the boundless mass of religion in which it was enveloped in the East, it could not receive the same form. But it was absolutely impossible that it could be so introduced—it was *not* so introduced; and hence, in a great measure, may be traced the analysed and investigated form which it so soon received in Greece.

Perhaps in no other country in the world was the Govern-

ment and social order so strictly combined with religion as in China. From the earliest dawn of the history of that remarkable people, exhibited in their ancient religious systems, we find the Government and institutions of social life, the philosophical and scientific dogmas, incorporated in such a way with the religious system as to have rendered it impossible for a discoverer to found a new system of philosophy without first repudiating the received system of religion. From a similar principle pervading the other nations of Asia, particularly those of India, arose the vastness of the Oriental systems, when compared with the moderate range and limited extent of those of Europe. Each of the former was a whole body of metaphysics, physics, divinity and jurisprudence; an entire erection embracing every variety of science or speculation: whereas those of the latter were generally systems confined to one particular subject,—philosophers there contenting themselves with rearing a monument by the side of some others of less or greater extent, the whole being scarcely sufficient to form one of those pyramids of *all* knowledge, of which Eastern philosophers were so fond.

In many respects the vast empire of China possesses features of interest peculiar to itself, whilst there are many others in which it closely resembles the other great empire of civilized Asia—India. In common with India, we perceive in the Chinese character, history, and literature, a strange unity which strikingly distinguishes it from everything Western,—a common character preserved over an empire of so vast an extent; a similiarity, almost an identity, in the various stages of its history, and the unvarying incorporation of its conquerors with its own domestic habits and institutions; a correspondence, strange in its aspect, between the character of the people themselves, their peculiar situation, and the uniqueness of their literary productions. In all those respects, then, India and China are similar to each other. In their strange jealousy of foreign intercourse, however, their idolatry of their sovereign, their unbounded and ridiculous admiration of themselves, the Chinese resemble no other nation upon earth (for the institutions of the adjacent Island of Japan may justly be considered as of Chinese growth). So exorbitant is this admiration by the Chinese of every thing belonging to their country, that we find no instances of their seeking to extend their power into any other region of the globe, nor do we ever hear of a Chinese leader conducting his followers into western Asia. As being beyond doubt the most populous of existing empires in the world, China possesses an especial

claim upon our consideration, whilst an investigation into the system of philosophy compiled by its great teacher, Confucius, however imperfect that enquiry may be, should not fail to interest us. In the course of it we may find some clue to the mysterious unity of this extraordinary people and to the peculiar opinions which so much excite our astonishment.

A cursory consideration of the universality of the ancient religious systems of the East, and of the incorporation with them of jurisprudence and philosophy, will convince us that it would have been a dangerous task in Confucius to attempt the introduction of a new or different system. Nor did he attempt it. He found a confused mass of facts, reflections and assertions in the ancient sacred works—and from this disordered heap he chose those which best suited his purpose, explained them in accordance with his convictions or his wishes, and on this foundation built his comparatively pure system of ethics, his strange metaphysics, his fanciful physics, and his extraordinary political system—this last being that in which he departed least of all from the ancient dogmas; and although when incorporated with his ethics, it looks imposing and captivating—so much so, in fact, that were it not for the stern monitor, experience, we might consider it admirably adapted to the rule of an extensive empire,—yet the pages of history warn us against putting any faith in such a system of despotism.

The founder of the political philosophy of China—Khoung-feu-tseu, latinized into the form of Confucius—was born about 550 B. C. His father was the chief minister of the petty kingdom in which he was born, China having been then, and for three centuries later, divided into a number of small independent states. This eminent man, according to his disciples, "the greatest teacher of the human race that time has ever produced," was distinguished, we are assured, from his earliest youth by an eager pursuit of knowledge and an intense anxiety to improve himself. From his peculiar position in his native country it is not to be wondered at that he early devoted himself to the study of moral and political science, such as they then existed in the ancient histories of his country. Engaged at first in the politics of his state, he soon became disgusted with the frivolity and affectation of a court which he shortly after left to engage in those literary labours that have produced such an impression on his countrymen. That much good was effected by the inculcation on his disciples of his improved ethical system cannot be doubted, whilst at the same time it is impossible to deny, that much of his writings consists of the inculcation of many vain and frivolous observances.

Let us remember, however, that he commenced his labours with the prejudices of a Chinese,—that the book of knowledge, either of the human race, or of the physical world, was never unfolded to his view,—and that if some parts of his works may be safely condemned by us, yet that the evident tendency of the whole was to elevate his countrymen, to increase their public virtue and private morality, without offering to their view any prospects of a sensual reward hereafter, as in the case of the Arabian pretender, and without his exercising the influence he acquired for his personal aggrandisement or the aggrandisement of his family.

Unlike most other founders of what may be justly called a politico-religious system, Confucius laid no claims to universal knowledge or perfection. On the contrary, he frequently confesses his ignorance, when an ordinary pretender would have given his own ideas as the express ordinances of heaven. "I was not born," said he, "endued with all knowledge, I am merely a man who loves the ancients, and who did all I could to arrive at truth." (Lun-yu,* vii. 19.) On particular points of religion and other subjects he was equally frank in his confession of ignorance: for, having been asked by one of his disciples, how superior spirits should be worshipped, he frankly replied, that he did not know; whilst, on another occasion, when asked what death was, his answer ran thus—"when I know not what is life, how shall I inform you what death is?" (Lun-yu, xi. 11.) The same work,—that which gives us a greater insight into his private character than any other, and which relates many actions of his daily life,—the Lun-yu, informs us, that on being asked for some information regarding military science, he replied, "If you had asked me of ceremonies or sacrifices, I might have been able to reply to you, but with regard to the military science, I never studied it." (xv. 1.) The means by which he attained to the practice of virtue he constantly asserts to be reverence for the ancients, and an abhorrence of vice. A disciple of his assures us, that he was entirely without self-love, prejudices, obstinacy and egotism, whilst his whole character and teaching would lead us to infer that his disciple did not greatly err. "When he saw any one in mourning," says the same disciple, "or any one in the garb of a magistrate, or blind, or older than himself, if seated, he rose at their approach." Some, and unfortunately the class is by no means a small one, will confidently pronounce this conduct to be hypocritical; but before acceding to this gratuitous assumption, let

* Written Lun-gnee in Marshman's translation.

us ask how that influence was used which he obtained by this, and his other peculiar conduct? Did he use that influence to procure his own aggrandisement, or to enable his family to take a high place amongst their countrymen? No, he used it to promote so far as he could discover them, the interests of morality and public virtue; he used it to make, if possible, his fellow-citizens better and happier than they had been before; and it is in this point of view—that of a benefactor of so large a portion of the human race—that he chiefly merits our attention. His virtues appear to have been his own—his errors and vices (for he was devoid of neither) were those of his country and education.

In his manner of teaching he was as simple and open as in his manner of life. We have seen that he confessed his ignorance of many things—he told his disciples his doubts and fears without reserve, and endeavored to interest them but by a simple relation of what he conceived to be the truth. They were not satisfied, however, with this; but, like all mankind, craving for mysteries, they sought a secret system for themselves—something that should not be known by all the world.—"Oh, my disciples," was his answer, "do you believe then, that I have for you hidden doctrines? I have not. What I have done and what I have thought, I have communicated to you, for such is my manner of instruction;" (Lun-yu, vii. 23,) and immediately after relating this conversation, his disciple informs us, that he had four means of teaching or four sorts of instruction—literature, the practise of virtuous actions, rectitude and fidelity. In his precepts we find nothing austere or repulsive—no attempt made to bind down the minds of his followers to a rigid, morose rule of his own; on the contrary, he eagerly desired them to be open to every ennobling idea—to cultivate the sentiment of the sublime—to open their hearts to the influence of joy—to accomplish themselves in the art of singing and music—in short by every means consistent with virtue, and in one case by a means inconsistent with it, to make themselves comfortable and happy.

Simple and natural as his character was, however, he was not, he informs us, understood by his age, (Lun-yu, xiv. 37.) But in this he shared the fate of all truly great men—whose judges should be, not their contemporaries, but future ages. The opposition sometimes made to him and the unpopularity which he frequently experienced, he invariably silenced by the noblest courage and the firmest confidence in the ultimate success of his doctrines. "When I examine myself," he says, "and find my heart right, although I should have for adver-

saries a thousand or ten thousand men, I will march without fear against my enemies." (Meng-tseu I. 2.)—A truly noble sentiment to come from a Heathen philosopher, and which may shew us of what the Chinese heart is capable when inspired by genius.

In thus endeavoring to point out the distinguishing characteristics of the mind of Confucius, let it not be supposed, however, that we desire to represent the good features only—our aim is to discover from the records opened to us, not how good or how bad the man himself was, but what was really his character, and to do this we must consider the virtues attributed to him in connection with the vices. In the voluminous records of his life, handed down to us by his disciples, we have discovered an instance of duplicity in his conduct; and in his system of morality, we find him sacrificing, in one instance, truth to filial duty. The instance of duplicity to which we allude is thus described in the Lun-yu: "Jou-pei wished to see Khoung-feu-tseu. Khoung-feu-tseu excused himself on the score of indisposition; but as soon as the bearer of the message had left his room, the philosopher took his guitar, and began to sing, with the design of making the messenger hear him." (xviii. 20.)

This is all that is related of the circumstance, and as we understand it, the fact was, that Confucius was unwilling to see Jou-pei, and wishing Jou-pei to be aware of this himself, without directly telling him so, resorted to this means to inform him of it. The error in his system of morality we shall notice when we enter upon that branch of our enquiry.

We have before alluded to the literary labours of Confucius —they consisted for the most part in a revision of the sacred works, and in the adding to them of explanatory notes,—those entirely of his own composition being in general but short essays or collections of his sayings. Of the sacred works with which he more immediately connected himself, and which are designated by the title *Kung* or *King*, on account of their supposed excellence, there are two divisions. The first consists of five different works, the most highly esteemed of the Chinese writings, and generally styled by Europeans, the classical works of the first order. Of these the *Y-king* (also written Ye-king, and Uk-king, in European works) holds the first rank. The Y-king, or sacred book of changes, like most of the other canonical writings, is by no means the work of a single individual. The foundation of the treatise consists of what are generally called "the trigrams, or enigmatic lines of Fohi," who is said to have been the first emperor of China, and lived 4,600 years ago, or twenty-five centuries before our era! These trigrams

consist of three lines varied by one or more of them being broken in the midst—two of these trigrams are in each variation placed together, and out of the six lines thus combined, sixty-four variations are formed. These serve as the divisions of the work. "It was not at first," says M. Visdelou, "properly speaking a book, nor any thing approaching to it, it was but a very obscure enigma, and more difficult a hundred times to explain than that of the sphinx." (Notice de L' Y-King).

Twelve centuries before our era, another monarch (Ouen-ouang or Venvang) undertook like another Œdipus, to solve the enigma, adding for that purpose, to each hexagram a short sentence scarcely less obscure than the lines themselves. The successor of Ven-vang, Tcheu-Kong by name, added what is called "an interpretation" to each of the enigmatical sentences of his father, and in this state the work remained till the time of Confucius, who annexed a commentary to each hexagram, generally much longer than the previous sentences, and giving such a view as he deemed correct, of the lines, sentences and interpretations. These commentaries then, by far the most useful and readable part of the work, may be considered, as far as they extend, to be an embodiment of the views of the sage on the various subjects treated of in the compilation—which comprise moral and political philosophy, with occasional attempts at the development of a mysterious system of physics. The disciples of Confucius inform us, that no part of his own writings or of the sacred books was so highly esteemed by him as the Y-King. He admired it—had it constantly in his hand—and declared, on one occasion, that if he wished to prolong his life, it would be principally to obtain a more perfect knowledge of the Y-King. The praises lavished on it by subsequent writers are perfectly extravagant, "It so comprehends the heaven and the earth," says one writer, "that there is nothing good which it does not contain..... not only is it the origin of the other canonical books, but, as it were, the elucidator of all things visible and invisible.....so that to know the other books and not to know the Y-King, would be to examine a river and neglect its source, or to take the branches and leave the root."

The fable connected with the origin of these mystical trigrams is one purely Chinese. As Fohi, says the tradition, was walking on the banks of the river Hoang-ho, there came on a sudden, from the waters of the stream, a dragon or (as some will have it) a tortoise, who carried on his back the form of this book. Fohi copied it immediately, and formed on this design the figure of his trigrams. Its origin is thus asserted to have been divine.

That the Y-King has reached our times as it was left by

Confucius there can be little doubt. It escaped the general conflagration of the sacred works caused by Tsin-chi-hoang, a monarch who reigned in the third century before the Christian era, and whose object was, according to a credible Chinese authority, to destroy only those works which were related to the manners and institutions of the first three families, "wishing to annihilate the memory of those by whose example he was himself condemned." (Kong-in-ta, proleg. ad Y-King). The fact of its being universally received by the followers of Confucius ever since as a sacred work, would be sufficient, from the watchfulness of the various sects to preserve its purity, and we cannot, therefore, doubt that the Y-King, as we now possess it, is the genuine offspring of the Chinese mind previous to the age of Confucius. What is allowed by Chinese writers themselves on this subject, we should think it vain to attempt to prove, but if any sceptic wishes to investigate the genuineness and authenticity of the Y-King, more particularly, we refer him to the elaborate dissertation prefixed to the second work which we have noted at the head of this article.

With regard to the contents of this extraordinary book, we conceive a juster idea can scarcely be conveyed, in as few words, than the following extract from M. Visdelou's notice presents: —"The Y-King embraces a variety of subjects; it is in fact, like the Encyclopœdia of the Chinese. We can, nevertheless, reduce its contents to three heads, to wit, metaphysics, physics, and morals. With regard to the first, when it speaks of the first principle, it does little more than glance at it, so to speak; it enlarges a little more on physics, which it treats however rather metaphysically than physically, that is to say, by reducing every thing to certain universal notions, but with respect to morals, it treats that branch profoundly, forgetting nothing which pertains to the life of man, whether considered as an individual, a father or a citizen. When I say that this book treats of all these matters, it must not be supposed, especially with regard to the two first, that they are entered upon methodically, and with order; it is but by accident, in paragraphs detached from the text, and scattered in the work, here and there. But that which may be considered as a fourth head in the Y-king is, that it is the book of destinies, which from all antiquity has served for predictions. Nothing is more common in the hexagrams than the words fortunate and unfortunate."*

* The excellent dissertation from which the above is taken may be found in the first and fourth works, noted at the head of this article.

The Chou-king (also written Chu-king, Seu-king and Chang-chou) may be considered as the second of the five canonical works. It is by no means of less authority than the Y-king, but is somewhat posterior in point of age. Unlike that work it does not consist of any mystical figures or sentences but is a plain composition in prose, giving a history of the first four dynasties of the Chinese emperors. It appears to have been the composition of various sovereigns who lived in the seventh, eighth and ninth centuries before our era. It has not reached our age however exactly as it was then left. The institution of public historians kept by the prince to record passing events, and remarkable sayings, at that period, was discontinued during the civil wars which were waged in the fifth and sixth centuries before Christ; and afterwards, about 210 before Christ, the emperor Chi-hoang-ty or Tsin-chi-hoang (for his name is written in both ways by the Jesuits) caused a general conflagration of ancient documents of the kingdom to be made, in which the Chou-king with other valuable works, was well nigh perishing. The object of Chi-hoang-ty appears to have been to render himself entirely absolute in the state, and for that purpose he thought it best to abolish all ancient usages by destroying the works in which these ancient usages were most authoritatively enjoined. His orders were executed to the letter by his minions, and with such eagerness to anticipate his wishes, that four or five of the most venerable characters in China from age, talents and moral courage, who persevered in keeping their ancient treasures, were burned with the books which they were so reluctant to see destroyed. After a few years, however, the family of the tyrant became extinct, and that which followed shewed itself more worthy of the throne which it occupied. By the exertions of the first princes of this family the work was restored nearly, if not exactly, in its ancient form,—there being little doubt, that although it may not contain all that was left by Confucius, that part which does remain is as he left it. Like the Y-king the Chou-king appears to have received its present form from Confucius, the ancient documents from which it was compiled having descended from the sovereigns of the seventh, eighth, and ninth centuries formerly alluded to. A brief summary of its contents may not be uninteresting.

The Chou-king is usually divided into four parts, of which the first contains the reigns of two very ancient emperors, Yaou and Chun. The second relates the history of a line of princes known by the designation of the dynasty of Hia, at which time (said to be 2,000 years before Christ) China was divided into

nine independent sovereignties. The third contains, in like manner, the reigns of the Chang dynasty—Chang being the name of a country in the extensive district of Houan, in the north of China, of which Tching-tang was the first sovereign. The relation extends from before Christ 1700 to 1100, and the eleven chapters of which it is composed, like those in the other books, are chiefly occupied with the precepts of the various monarchs or the dissertations of their ministers on good Government. The fourth is occupied with the doings of the Tcheou dynasty. It consists of thirty chapters and embraces a period of five hundred years, from 1100 to 600 before Christ.

The third of these sacred works is the Chi-king (called Seeking by Marshman) on the contents of which we need not delay. The name signifies poetry in general, and the work consists of a collection of odes, three hundred and eleven in number, chosen by Confucius out of a host of others, as being of a moral and improving tendency. No part of it would appear to be the composition of the sage himself, his labors in bringing it to its present form, consisting merely of collation and expurgation. The work, as being a sacred one, is, however, one of great authority amongst the Chinese—it being a favorite exercise of theirs to commit its verses to memory and sing them on public occasions and in private life. This reverence for it was encouraged by Confucius himself, who frequently took occasion to refer to it as a standard work, capable of imparting by careful study much improvement. "These verses," he said to his disciples, on one occasion, "are as a speculum, offering the contemplation of good and evil; they teach us to serve our parents at home, and the king abroad." (Lun-yu, 17.) Besides this, he recommends their study as a means of improving elocution—"unless you have learned the book of verses, my son," he once said to a disciple, "you can never thoroughly acquire a perfect art of speaking." Like the other sacred books, the Chi-king perished in the conflagration of Chi-hoang-ty, in the 3rd century before Christ, to which we formerly referred—copies of it existed, however, if not in books, at least in the memory of a religious people, and from its peculiar rythmic composition, it was easily re-written from the memory of its admirers in its original form, on the revival of letters under the Han dynasty. The following remarks on this book, by one who made it his peculiar study, are not without interest:—"It is evident that this collection of pieces, all perfectly authentic, and of a form generally simple and naive, represents the manners of the ancient Chinese in their

purity, and that it offers to any one who wishes to make a study of these manners, a mine more easy to explore than the historical works, such as the *Chou-king* the *Tso-tchouen* and the *Koue-iu*, in which the facts relating to the manners and the social constitution of the ancient Chinese are combined with long moral discourses." *(Recherches sur les mœurs des anciens Chinois, per M. E. Biot.)*

The fourth of the great canonical works is the Li-ki or Ly-khee. The first syllable of the name denotes *propriety*, especially as directed to dress, demeanor or conversation. The Li-ki may be said to be a book, not of ceremonies only, but of all the offices of civil life; the duty and conduct of parents to their children, and children to their parents, of husbands and wives, of citizens and neighbors, are all laid down in it with the most tedious particularity. Its motto at the present day, might well be the following from Cicero's *de officiis*—"si tecum agas aliquid, si cum altero contrahas, vacare officiis non potes, in coque colendo sita est vitæ honestas omnis." The European reader can scarcely have an idea of the minuteness with which every custom is noted down in the Li-ki. Not only are all classes particularly mentioned, and rules for their conduct laid down from the example of some sage or other: but every variety of circumstance is taken into account, and whether at home or abroad, in the temple or the market-place, when studying or amusing oneself, when at leisure or busy, when at feasts or at business, engaged in diversion or mourning, at music, archery or boating, the careful man of whatever class has only to turn to the proper part of the Li-ki to find out what his conduct ought to be—he will find there, too, not only what his conduct should be, particularized, but his dress as well, according to the season of the year. We need scarcely say then, that the work is very voluminous—exceeding that of any two of the other *King*. It appears to be a collection by Confucius of the various customs inculcated by former sages, to which he probably added examples of his own. Others will have it that it is entirely his own work; however this may be, certain it is that it passed through his hands, and he inculcated the greatest reverence for it upon his disciples.—"My son," said he, on one occasion, "unless you have learned the book of rites, you will never thoroughly understand the proper method of acting in conformity with virtue, or established usage." The Li-ki did not escape the conflagration of the sacred works by Chi-hoang-ti, and has probably reached posterity in consequence in a somewhat mutilated form—its regeneration having being effected by the

putting together of the various scraps of it which were found in different situations which had escaped the rigorous search of the Goth-like King. We, of the Western world, can scarcely conceive the effect which the extensive distribution of such a work amongst the masses of the people, stamped as it was as sacred, would have in perpetuating established usages, and preventing reformation. *Here* was the standard of orthodoxy as to propriety, conduct, duty, ceremonial observances and even dress—to depart from this standard was to incur the blame of irreligion. Do we still need then a clue to the fixedness and immovability of Chinese customs? *We* think not.

The fifth and last of the works more especially connected with the system of Confucius, and received by the Chinese as of divine authority, is the Tchun-tsiou (the Chun-chou of Marshman) so called from the period of the year at which it was commenced and finished by the sage. *Tchun* signifies the spring, and *tsiou* the autumn—in the first of these seasons Confucius commenced the work, and in the last he finished it. It contains a continuation of the Chou-king, being a history of China, but more particularly of that state of China in which Confucius lived, Loo, for two hundred and forty years—it was the work of the old age of the philosopher and appears to have been intended as a more full explication of his political system than was contained in any of his former works. Like the others it was destroyed in the conflagration so frequently mentioned, and has probably not reached us in its original form.

Besides these five works of Supreme authority, there are four others called the See-chou, or "four books," generally considered as of somewhat less weight than the former. Of these one is a small treatise by Confucius on *the art of Government.* The second is an essay on *the path of moderation* compiled from the papers of Confucius by his grandson. The third is that from which we have frequently quoted above—the *Lun-yu*, written by two of his disciples, and giving us a greater insight into his private character than any other, and the fourth is the compilation, and bears the name of another disciple *Meng-tseu*—latinized into the form of Mencius—and consists of conversations on various subjects between the author of it and a petty sovereign of China.

Having thus briefly noticed the works containing the system of philosophy inculcated by Confucius, and having pointed out particularly the different parts of them which may be considered as his own composition, let us now proceed to give a brief

summary of that system from the works before us, separating the *philosophy* as much as possible from the *religion* contained in them.

Educated as Confucius was, in the belief of a mystical and elaborate system of unintelligible metaphysics, we cannot wonder at the peculiarities which strike us as the most prominent characteristics of his writings, when we are first introduced to them. The exceedingly practical nature of that instruction which he gave to his followers, and which he fondly hoped would one day be the means of regenerating his country, must arrest the attention of the most superficial observer of his lessons and writings. This practical tendency was probably given to them by the conviction which appears to have forced itself upon his naturally energetic and penetrating intellect of the inutility of that specious mysticism in which the ancient sages of his country veiled their dogmas. Overturn the whole system he probably could not, but in forming and moulding it after the fashion of his own impressions, he accomplished the good he sought to effect, and stamped that system which he propounded at the same time with the seal of orthodoxy and sanctity. If, in giving this account of his labors, we charge him somewhat insidiously with deceit, let it be remembered that apart from the moral turpitude of his conduct in this respect, we give him all the praise of philanthropy and wisdom—wisdom in thus connecting himself with the more revered sages of antiquity, philanthropy in devoting his life to the promulgation of what he believed to be truth, and for the benefit of his country to learn. Without attributing to him this appearance of deceit, we know not how to account for the extravagant praises which he lavished upon mystical and enigmatical compilations of antiquity, which, handed down to him as they were, could not fail to appear in his discerning eyes what they really were, useless and unprofitable. To the peculiar form in which learning reached him we may probably ascribe the very little attention which he bestowed upon physical science—his moral, and political philosophy alone being worthy of observation. Let us not forget, however, that this is a characteristic of all infant philosophy, the habit of ethical speculation and theoretical system-building, invariably preceding that patient inquiry and minute analytical research which are necessary to form a consistent system of physics. Confucius in China, and Socrates in Greece, appear to have been equally impressed with the conviction that this metaphysical disputation and word-splitting mysticism would prove of little utility in general to the human race, and hence the atten-

tion almost exclusively bestowed by each upon more practical subjects. Whatever is above us does not concern us, was almost as much insisted upon by the Chinese, as by the Grecian sage; in this they agreed, the difference between them, wide and great as it was, was but the difference of their respective countries.

At the base of the somewhat absurd physical system of Confucius stand the five *hing* or elements, water, fire, wood, metals, and earth—the five things said to be necessary to the existence of human life; of these, says the Chou-king, the earth is humid and descends; the fire burns and ascends; wood is crooked and straightens itself; metals are grounded and are susceptible of change; the earth is well suited for seeds and harvests. That which descends and is moist, says the same work, has the taste of salt; that which ascends and burns has a bitter taste; that which crookens itself and again straitens has an acid taste; that which is grounded and changes has a *piquant* and sharp taste; that which is sown and grows is sweet. Each of these so-called elements is designated by one or more mystical lines placed in different positions. The physical philosophy which embraces such fantasies as these must be utterly valueless as an interpretation of nature, and such is our excuse for the extremely short notice of it which we shall now present.

The universe, according to this fanciful system, has been generated by the union of two material principles, a heavenly and an earthly, Yang and Yn. The heaven and the earth, say the exponents of this philosophy, signify or represent the corporeal substance of these principles, whilst their intellectual manifestation pervades the whole. In accordance with its nature the universe is subject to be constantly destroyed and reproduced, a tenet exactly similar to one of the fundamental principles of Buddhism. The proper office of the material and heavenly Yang, said a disciple of Confucius, is to produce, to make strong and to sustain. Its nature is firmness, inflexibility and perseverance. What rises, what appears, what produces or contains motion exists from it. The figure of this celestial Yang is represented as being round, consisting of a mass formed of thin particles or corpuscles, whilst that of the material, terrestrial Yn, is designated as quadrilateral and angular. The nature of Yn, said the disciple just quoted, Tchao-tse, is to give place to, to fall to decay, to be weak, opaque, slow, and in itself as if inert, to receive motion from Yang, to obey and be obsequious to him, whilst its office in the universe is to fulfill duties analogous to those of a mother. On this gross materiality is built the entire superstructure of Chinese physics.

Mohl has been at some pains to point out resemblances between this system and that of Plato and Aristotle, but such attempts are of little utility, they neither make the Chinese system better than it is, nor can they engraft on it any of that spirituality and idealism which, however incorrect, lend such a charm to the speculations of the celebrated disciples of Socrates.

The heavens and the earth being thus mystically united to the Yang and Yn, with their existence, the origin of man, in the system which we are endeavoring to delineate, would appear to be in some way connected. In the Y-King we are told that "the heaven and the earth had a commencement, and if that can be said of them, how much more truly may it be asserted of man;" and again in the words of Confucius himself, "after there was a heaven and an earth, all material things were formed; afterwards there was the male and female, and then husband and wife." It will probably be asked, Is there then no Deity in the system? The question is difficult to answer, for although from the account given of the origin of things one would conclude no active Deity were concerned in it, yet we find ascribed to the "Grand Unity," the Tai-y, an existence prior to that of every thing else, and as being the principle out of which Yang and Yn emanated. On a subject so difficult of elucidation it is not wonderful that this obscurity should exist; certain it is, however, that all the active qualities of a Deity are noted as existing in the thing designated by the term *Heaven*. Thus to take the Chou-king alone as our guide for the present, Heaven is there represented as being the Father and Creator of all things (pages 34, 412, 418, &c., De Guignes' edition), as the sovereign intelligence which the perfect man should imitate (p. 124, 125) as the author of kingly government, and a lover of the people (p. 84, 116, 140, &c.), as the founder and destroyer of empires (p. 150, 202), as being propitious to those who have a just heart, (p. 195), and as that to which sacrifices should be offered, and prayers addressed (p. 428, 211). Thus then all the more prominent characteristics of a Deity, "Heaven" is undoubtedly represented as possessing. In giving it anything like an embodiment or tangible character the philosophers of China have not succeeded, probably designedly.

It has been frequently asserted by European writers, that the immortality of the human soul is not a dogma taught by Confucius or his disciples. If this dogma were not received by them, however, how shall we account for their inculcation of sacrifices to the souls of their ancestors? and if they were

anxious to conceal the doctrine, how shall we explain their blindness in allowing it to appear continually in their writings? That it was a subject on which the great philosopher himself did not wish to dilate, we can readily believe from the answer which he gave to the enquirer on the nature of death—"when I know not what is life, how shall I inform you what death is?" His system had reference to the present life alone—the beauty of earthly virtue, the good consequences which flowed from its practice, the deformity of vice, and the evils which it induced, the duty of benevolence, of moral purity, of attending to the ancient sages—*these* were the themes on which he delighted to converse and to dilate; all beyond was for him and his disciples an unknown gulf, an eternity whence he could not lift the veil which hid it from his own and his disciple's eyes. He *trusted* there was a life there, he *trusted* that good men were honored there by that indefinable "Heaven" which existed independently of man, and to which he attributed such excellence; these things he hoped for, but certain of them he was not,—he *could* not be, and without letting the ignorance and doubt press too heavily on his mind, he acted on the maxim, that this world should look after itself, and men with it, leaving futurity to take care of future events. An unsatisfactory course certainly! but under the circumstances, what wiser one could he have adopted?

But leaving the dark and doubtful region in which we have here been groping, let us enter upon that better defined, and more easily comprehended department in which the flitting shadows of mystical dogmas that perplexed us previously give place to the well defined and tangible shapes of moral and political doctrines; in which we shall find a vast amount of truth, mixed up with certain peculiarities which were necessarily the adjuncts of a system elaborated in China—necessarily, we say, because the peculiarities of the Chinese mind would of course imprint themselves on whatever emanated from it. We proceed then to the moral philosophy and ethics of Confucius.

No one who has regarded the habits and actions of his fellow-creatures around him with attention can avoid being struck with the different characters which present themselves to his observation. If in the retirement of a domestic life he is brought personally into contact with but a few, and those few perhaps superior specimens of humanity, his own observation will lead him to judge well of mankind in general, but the busy hum of the great world, with all its vice and misery, will still reach his ears and attract his attention. He may be unwilling to believe that human nature is so bad as the reports

which reach him would lead him to suspect, but the fact must still be apparent to him that it is worse than its immediate development in connection with himself would induce him to conclude. He would gladly perhaps shelter himself if he could, in the prejudice that man was that mild, gentle and benevolent character, as a whole, which that part of humanity around him would lead him to infer, and when convinced that this impression was erroneous would still be lenient and unwilling to condemn. From such a character as this we should not expect any very severe judgment to be passed upon mankind if he were asked for his opinion of the race generally. But when we consider the position of a man who is daily thrown into the society of the worst and most depraved of the human race, who sees before him little but developments of the most odious principles of humanity, and whose heart, if susceptible, is sick of the sin and crime which his fellow-creatures around him display: what answer should we expect if we asked him his opinion of humanity? Certainly not a favorable one. The philosopher is bound to take a larger and more comprehensive opinion of the case before he gives his verdict. Most men at the present day will point to the medium between the opposite opinions of the two characters whom we have supposed as the true answer to the question, stating that man generally speaking is much worse than the first, and much better than the second, was led to believe. The philosopher, however, has a further question on the subject to answer, and one somewhat more difficult—it is to explain the cause of this condition, this general character of mankind. Almost all systems have agreed in considering the present degeneracy of mankind as an *accident*, not a *necessary consequent* of his nature, and, in accordance with this view, have represented him as being at one time perfectly happy. In this the system of Confucius accords with others. But then comes the enquiry, What has produced this decline? or in other words what is the origin of evil? It is, said Plato, the ξύμφυτος ἐπιθυμία the "innate propensity" to disorder which characterizes all matter. "The passions of men," said Confucius, is the cause. His views on the subject are thus stated:—"All people are naturally good, but a desire of pleasure changes them; thence it is that they disobey their superiors to fulfill their individual appetites." This is precisely in accordance with the views of Buddhism, which recognizes desire "as the origin of all evil," as far as man is concerned. In this doctrine of the Chinese sage, we see something of his character and mental bias. The first effect of the evil working of desire was to make

man *disobey his superiors*, and thus create confusion in that political machine which he regarded as the great instrument of national weal or woe. *Obedience* is the fundamental principle of his political, as *purity* is of his moral, system, and which of the two he thought of most consequence is not easy to decide. Having thus then accounted for the loss of that original perfection which mankind enjoyed, he lost no opportunity of expressing his sense of the depravity into which man has fallen—a depravity, which, as he truly and frequently asserts, is characteristic as well of the princes who rule, as of the subjects who are governed.

Of the evil nature of man and the bad effects of his misdeeds, Confucius must necessarily have seen as much as most other people. Brought up in a petty court, a daily witness of the jealousies and intrigues there prevalent, and of the hollow heartedness which such a sphere of exertion is likely to induce, he was equally well acquainted in his earlier days with the evils there prevalent, as he was in his later years with those of the multitude. The opposition which he met with was such as could leave little doubt of the excessive selfishness and depravity of the majority. Yet we never find him allowing this circumstance to bias his judgment, or make him inveigh bitterly against mankind generally. He saw the evil which existed, and like a true philosopher he set himself to endeavour to correct it. What more striking sentence could a work commence with, than that which opens the introduction of his *Ta Hio*, or "Great study," that its object was "to bring back fallen man to the sovereign good?"—an enterprize the noblest and most philanthropic that could enter into the human mind. In the sentence just quoted we see that Confucius recognized the depravity of man and the necessity of his reformation; the next question which presents itself to us, as explorers of his system, is the means by which this reformation, this "bringing back of fallen man to the supreme good," was to be accomplished. On this, as on most other moral questions, his views are clearly stated and intelligibly dilated upon. Before entering upon the means by which this reformation is to be accomplished, we may be asked, if man, alone and unassisted, is to do it? No. The writings of the philosopher seem clear and explicit on this head. In the *Ta Hio* (a work which we prefer referring to as being *entirely* the composition of Confucius himself) he distinctly urges on his followers as the very first step in moral improvement the *duty* —not the advantage or excellence—but the *duty* of "developing that light which heaven has granted to man." This we

cannot help considering as a clear and explicit reference to a conscience, but it must still be confessed that a search through his writings, as laborious and minute as our means and reading would admit of, has failed to bring before our notice any other allusion to this most important principle. In the paragraph quoted, however, which is the commencement of the first chapter of the work designated, the duty of developing that light which we have received from heaven is plainly stated and enforced, whence we may infer that in the progress of moral development, man is *not* left (according to the system of Confucius) to his own unassisted exertions.

Having thus cheered on his disciple with the hope that heaven itself looked on his moral reformation with pleasure, and aided him in his enterprize, the next point on which our philosopher dilates is the duty of keeping steadily in view the object which he pursues, and allowing himself to be drawn away from its contemplation by no earthly consideration. (*Ta Hio*, chap. 3.) Nor will it be sufficient if, in this pursuit, he endeavours to obtain this reformation for any other than the purest ends—his intentions must be "pure and sincere"; if they be contaminated by any considerations of interest, or any hopes of future profit or advantage, the aim will never be attained. (Chap. 6.)

Supposing the aspirant then fairly set out upon the career of improvement, anxious to attain the looked for excellence, sensible of the importance of that light from heaven by which he is aided, and pushing on in his career with the purest and most sincere intentions, the next question is, "what mental qualities should he most cultivate, what habits of mind most assiduously practise?" On this subject also our information is clear and explicit. The wavering, unsteady mind will not attain the desired object; the mind which is prone to be tossed about with every wind of doctrine, or the mind subject to fits of passion or excitement is equally unsuitable for prosecuting successfully the *great study*. Accordingly "determination," a fixed and resolute determination to stop short at nothing but the excellence aimed at—or determination, sufficient to overcome the numerous opposing influences which present themselves, is one of the great requisites necessary. The second is, "a calm spirit"—"such a spirit as that of Confucius himself, patient of wrong, and unwearied in the pursuit of good—such a spirit as would enable its possessor to look with indifference on every thing that could be presented to his notice, if it were likely to lead him from the prescribed path. The third great requisite is "meditation"—meditation

on the motives which lead to, and the consequences which result from, human actions—meditation on natural events, and on the nature of man itself. These are the requisites for the study, or the necessary adjuncts without which it cannot be successfully prosecuted. Yet there is one thing which the philosopher would have the student remember constantly in setting out upon the path prescribed—it is the great truth that "personal improvement is the only sure basis of moral development." (*Ta Hio*, intro. 2. 3. 4. 6.) Let those things be attended to, is the result of his teaching on this subject, and as justice and probity gradually assert their legitimate influence in our minds, we shall go on from one stage of excellence to another, till perfection is gradually approached.

Supposing then that the candidate for moral superiority has been steadily persevering in the prescribed road, and that he has attained, if not perfection, at least a greater degree of purity than before, we may now designate him the sage, and, for his guidance, rules are laid down by our philosopher, the general wisdom of which we conceive few will dispute. In ordinary life he is to affect no supercilious superiority over his fellow creatures; he is by no means to make himself an universal censor on mankind, or to offend his friends by ostentatiously pointing out his own excellencies and their deficiencies. By no means,—the rule of his life should be to make himself so agreeable and so amiable, truth being on no occasion sacrificed, however, that others may be induced to enter upon the same course more by his example than his precepts. He is, in a great measure, to be guided by circumstances in every action of his life, always remembering that the duties of his particular station are to be fulfilled whatever may be the position in which he is placed, and that, to accomplish this, a thorough self control is absolutely necessary. (Tchoung-Young, chaps. I, to XIV.)

Such then is the account the Chinese philosopher gives of the progress of a man in morals. Let us now enquire into his remarks respecting a similar progress in learning. In order to exemplify this subject he gives us a short statement of his own literary life, and from the different paragraphs of that statement the following deductions are easily made. He says, that at the age of fifteen years his "desire was towards learning," intimating thereby that the study must be commenced early to be successful. "Desire," in this instance, says the commentary "denotes the *whole bent* of the mind," "he treasured up every thing in his mind, and was deterred by no difficulty." Having thus, in his own enigmatical way, shewn

the necessity of an early commencement of the pursuit, he passes over a space of fifteen years more, during all of which we are to suppose him diligently pursuing the desired object, and in the next sentence he informs us, "at thirty my mind was fixed;" that is, explains the commentary "for fifteen years he had accustomed himself to fixed and steady application; and his mind was so firmly settled in the pursuit of knowledge that he had no desire for any thing besides." During ten years more we are to suppose the indefatigable student working hard in the wide field of nature and literature, and what then was the result at forty? With marked exaggeration he would have us believe, that then all his doubts were solved, and none remained to perplex him; "he understood things clearly, and had nothing farther to seek or examine." At fifty he assures us that the common course of nature, the conduct of Providence, and "those ideas which are implanted by nature in the minds of men for the regulation of their conduct," were all *understood* by him in the fullest sense of the term, and in the expressive words of the commentary "nothing appeared dark to him." At sixty every thing had long been so well known to him that surprise was banished; he could so thoroughly account for every thing he saw or heard of, that he felt astonished at nothing; and at seventy nothing which proceeded from his heart transgressed the laws of virtue or the requirements of benevolence. This was the grand culminating point in which all his attainments ended, and whatever we may think of the value of his remarks on his own progress in knowledge, we cannot but applaud him for thus declaring the attainment of virtuous perfection to be the highest blessing to be derived from study. A disciple of his own, Chung-chee, thus sums up his excellencies from his own statement, the same which we have considered above—"He fixed himself improveably in the pursuit of wisdom. Nothing appeared doubtful or uncertain to him. He comprehended the laws by which both the natural and moral world are governed. What he heard he received with perfect ease. The desires which proceeded from his mind transgressed not the law, and without laying the least restraint on himself, he remained within the bounds of virtue. *Such was the philosopher.*" (*Lun-yu*, Chap. ii. § 4.)

The system of Confucius, it will be seen, is eminently a practical one. He did not plunge madly into the sea of metaphysics, to drag thence, with infinite labor, the weeds and refuse with which it abounds, as many philosophers both of the East and West have done. He contented himself with the practical results of the laws which influence humanity, that he

might derive thence the rules which were necessary for the practical guidance of men, and their allurement into the paths of virtue. Physical science, it is true, he treated more metaphysically than physically, but we need not wonder at this when we reflect on the course which he pursued, endeavoring to arrive at truths in that branch by abstract reasoning instead of by patient induction. Bearing what we have said in mind then with reference to the practical tendency of his writings, we cannot be surprised at his views in reference to happiness, in which views we shall find no attempt made to enter into any very nice or precise definition of the difference in the mental constitution of one man compared with another, or of the degrees of happiness, or of the distinction between bodily and mental gratification. There are five blessings, he says, in which happiness consists, and the simplicity with which he declares what these are will probably excite the pity or contempt of the modern metaphysician. The first is "a long life"—a thing in itself neither a blessing nor the reverse, except as it is spent, but which if combined with the four other blessings, would be certainly desirable. The second is "riches,"—which, whilst they are in some cases unquestionably the source of much real comfort, are frequently also the cause of jealousies, anxieties and other evils of the most harassing nature. The third is "tranquillity"—this word is one of such extended signification that unless we knew the precise import of the original phrase used, it is not easy to decide on its suitable application here. If, by the term, be meant that deep-seated feeling of quiet satisfaction with which the prosperous man looks round upon the world and himself, then we conceive it to be rightly applied, but if "peace" alone be meant, we maintain there are characters and dispositions in the world to whom this is a source of the veriest torment—whose happiness consists in action,—action—action, and to whom any cessation of this continued excitement is unequivocal misery. Nor will it be sufficient to object to this remark of ours, that the state of mind we suppose is abnormal—we maintain that in drawing out a formula to explain any thing connected with the human mind, every condition of that mind, normal and abnormal, must be taken into consideration. The fourth of these blessings is "the love of virtue." To this also an objection has been raised. Is the love of virtue a blessing—a source of happiness—to him whose entire life is passed in daily communication with the vicious? Or does he who would have the laws of virtue universally recognized and acted upon derive *happiness* from seeing the mass of mankind disregard them?

Of whatever utility, or of however great benefit, in a moral point of view, the love of virtue may be, it may not be considered universally as a source of happiness. The fifth and last of these blessings is "a happy death after a long life." (Chou-King, Part iv. Chap. 27.)

Immediately succeeding this account of the five blessings, we have a similar category of the six evils which constitute or produce misery, and these are again of the same material kind as the five sources of happiness. The first is "a short and vicious life," the second, "disease," the third, "affliction," the fourth "poverty," the fifth "cruelty," and the sixth "weakness" whether mental or corporeal. Regarding the practical nature of these categories, it need not surprise us that there is so little of abstraction, so little of speculation, in the writings and conversation of Confucius.

Virtue he divides into two great parts, the first consisting of the reverence and worship due to superior beings, and respect for parents or those in authority, and the second that justice or equity which teaches us to render to every one that which is his due. Of the idea which he entertained respecting the Supreme Being we have previously endeavored to give some idea, and the duty which he inculcates in reference to that Being is simply sacrifice and honour. Of his or its attributes, concern with humanity, connection with the universe, and so forth, no very clear idea is given in his writings; and beyond vague expressions referring to man's duty in reference to that Being there is little of value given us on the subject. The tutelary spirits are divided into two kinds—the spirits of mountains, rivers, and other natural objects, and the disembodied souls of our ancestors, to both of which propitiatory sacrifices are equally due. That his ideas on this subject too were anything but explicit, the following extracted from one of his own works, the Tchoung-Young, will abundantly prove:—"Spirits have a power; how great is its extent: in looking at them we perceive them not, in listening to them, we understand them not; they give bodies to objects, and they themselves can be no more divided, their desire is that men should be wise, pure, and decently clothed to perform the customary sacrifices. They are as a vast sea, whether we consider their height or their extent. The Chi-king says, that as we cannot know if they be present at our sacrifices we must not despise them. Their tenuity is certain, their reality cannot be hid. This is so." (Couplet, p. 50. et seq.) It is not difficult to conceive of the writer of these sentences having a shadow and indistinct idea of something etherial floating in a vision before him,

which however words are incapable of giving such an expression to, as will convey that idea to the minds of others. The following observations of M. De Guignes, contained in "an Historical Essay on the study of Philosophy amongst the ancient Chinese," which will be found in the thirty-eighth volume of the memoirs of the French Academy, throw some little light on this interesting, but difficult subject. "Father Amiot," he says, "from whom I sought some information on this subject, has sent me a part of a Chinese book, a kind of antiquarian miscellany, which the emperor Kien-Long had printed. The leaves which I hold in my hand contain the figures of several of those spirits, peculiar to the Chinese nation, which are accompanied by the necessary explanations in the Chinese language. These inform us of the places in which the spirits reside, and the particular object for which they are invoked, amongst them there are some which have the head of a man or of a woman with the body of an animal, as, for instance, of a ram, a horse, or a serpent. Others have many heads with one or more bodies, some of them being entirely lower animals. * * * * * *

"The Chinese regard ancestors as intercessors with Chang-ti ('Heaven') and as protectors also. They assert that these ancestors see and hear all that passes amongst their descendants. They treat them, as the writings of Confucius prove, as though they were alive, presenting them with food as the great proof of their filial piety."

Passing then to the third branch of the first kind of virtue, that which gives fitting reverence to parents and those in authority, we pass likewise from the region of obscurity into that of light. On this subject the directions of Confucius are as full and distinct as we could wish them to be. The duty of reverence to parents is inculcated by him with a degree of earnestness and a strictness unknown in any other system, and this too not without reason, for it is on this single truth that reverence and obedience is due from the offspring to the parent—that his entire system of politics is based. Of all crimes that of filial disobedience is apparently considered by him as the greatest, and as being of a nature so heinous that no atonement can suffice to expiate it. If we require a proof of the extreme lengths to which he carries this idea we shall find it in the fact that the only violation to true morality which his system inculcates, arises from an excessive estimate of this duty. This error is expressed in one of his conversations in which he says that to hide the faults of a father, even truth itself should be sacrificed by the son. Yet the inculcation of

truth is by no means neglected in his morals as some of the extracts we have already given sufficiently prove.—(Lun-yu, xiii. 18.)

The second branch of virtue in this system is the rendering to every one that which is his due. This phrase is a comprehensive one, but not more so than the philosophy of Confucius evidently intended it to be. He tells us, in one place, that "we should do to others as we should wish others, under similar circumstances, to do to us," (Lun-yu, xv. 23.); that the confining of ourselves to *passive* virtue is not sufficient, *active* virtue is necessary if we would fulfill our duty to mankind or win the favor of heaven, (xx. 2.); that "adversity is no evil to the really virtuous man, nor is it to be feared by him;" (Y-King, Chap. xi. 4.) that "heaven blesses the kingdoms where virtue abounds, whilst it afflicts the vicious with every description of evil;" again, that "virtue must not be despised, for it constitutes the true glory of a state, whilst the extinction of virtue, destroys that glory," (Chou-king, iv. 8.); and lastly that the retaining of a virtuous man in a state is infinitely preferrable to the obtaining of quantities of precious stones or a great weight of gold, (Y-King, i. 1.) His morals, however, did not approach the sublimity of Christianity, for having been asked, his disciple informs us, whether good should be returned for evil? his reply was, if you return good for evil, what would you return for good? Endeavoring to give us a practical idea of the nature of virtue, he would appear to liken it to prudence declaring that "all virtues are placed in the middle equally distant from extremes, like an intermediate middle line between a first and third." (Y-king, xx. 2.) This would evidently serve also as a definition of prudence and may remind us of Aristotle's assertion in the sixth book of his Ethics, that "he who possesses prudence possesses all virtue," whence he draws the conclusion that the virtues are inseparable.

There are many who are anxious to obtain a reputation for virtue, but have too little mental resolution to practise it. Such men as these we continually hear praising its excellence, loud in condemnation of the wicked and in commendation of the good, who prove by their words that they have a due appeciation of its excellencies, but shew as plainly by their actions that they are incapable of acting up to its requirements. This class of people did not escape the observation of Confucius. "A knowledge of virtue," he says, or, as the commentator explains it, such a knowledge as leads to its practise, "is a very different thing from approbation" of it, and again "approbation is very different from enjoyment." (Lun-

yu, vi. 18.) Nor again did it escape his penetration that there were numbers who pursued virtue, not for its own sake, but to reap from its practice the esteem of men, or other more substantial marks of their approbation. He contents himself with pointing out the fact, however, certain that he who was mean enough to act in such a manner as this would by no means be deterred from so doing by the contempt of those who penetrated his motives. "The honorable man and the low man," he says, "are completely opposite. Virtue is the object of the former, profit of the latter; by views of this nature is he governed, and for these will he act contrary to reason and conscience." We might thus go on multiplying instances of his sagacity and of the minuteness of the rules which he lays down for the guidance or consideration of his disciples, but it would be to little purpose perhaps—we have given enough to exhibit his ideas of the nature of virtue, of its importance, of the manner in which it should be pursued, and of the motives which should influence us in that pursuit; more explicit or minute information on the subject must be sought by the inquirer in his own works and those of his disciples. The pursuit of virtue is the great object which he constantly inculcates, and which he spent his life in endeavoring to promote. Few philosophers have had a more correct idea of the importance of that pursuit, and well would it be for the world if every speculator in morals had given the practice of virtue an equal prominence in his system.

Before concluding our explication of the moral system of Confucius it will be well to give a few illustrations taken from his works of some of the other virtues. There is none on which he more likes to dilate than on that of humility. "This," he says in the *Y-King*, "is a virtue which surmounts every obstacle, and which invariably conducts the sage to a happy end. Even although that sage understands not the value and importance of that virtue with which he is endued, although he may be ignorant of his own excellencies, yet he certainly arrives at the great goal of wisdom, and the accomplishment of his designs." To prove however that it is a virtue with which men ought to be endowed, he takes heaven and earth as an example. We are the exponents, not the apologists, of his system, and we shall give this illustration as a curiosity. However absurd it may appear to us, let us not forget that it was addressed to those who regarded heaven and earth, not simply as inanimate objects, subject to the laws of nature, but as divinities. Addressed to us such an illustration as that we are about to give would be in the highest degree ridiculous—ad-

dressed to the Chinese it was a cogent argument. Humility, he urges, is not a virtue peculiar to man alone. It is one which belongs also to heaven and earth, for it is by their reciprocal submission to each other they produce in themselves the powers of destruction and reproduction in which powers their virtue plainly consists. The earth although situated the lowest of the two, as soon as it has received from heaven the weather suitable to each season, sends up again on high, with humble gratitude, the vapors which exhale from its womb. In like manner, heaven sends its influences beneath to make all things grow and increase. If then, he concludes, heaven and earth have need of submission to exercise their generative power, how much more does man require to practise this virtue.

Confucius is more likely to be attended to by modern readers on this subject when leaving the sphere of doubtful analogies he descends to the enumeration of the particular benefits which the practice of humility is likely to induce. Humility, he says, in the same work, from which we have before quoted, teaches us rigorously to avoid considering too much of ourselves and despising others; for there is, on this subject, a certain scale of equilibrium, against which we ordinarily sin in thinking too highly of ourselves. Those only are exempt from this who retrench this excessive ostentation and pride, and are governed by humility,—who, studying to increase in themselves the little which they possess of submission and humility, bring prominently before their own notice those particular points in which they are inferior to those around them—who seek to acquire a just idea of themselves by comparing their own qualities with the virtues, not with the vices, of other men.

In the catalogue of virtues which the Chinese philosopher delighted to inculcate, modesty holds no inferior position. Haughtiness and arrogance appear to have been his aversion, as much as modesty and humility were his delight. He looses no opportunity of inveighing against the one or of exalting the other. Nor will we be surprised at this when we consider the absurdity of the former, and the moral beauty of the latter, qualities. His acquaintance with a court had doubtless taught him how hard it was to bear "the proud man's contumely," and how probable it is that the inferiors of the proud man will be even more guilty in this respect to all beneath them, than their masters; nor would the feeling be hidden from his observation when he came to examine the multitude itself—unjust and cruel in the one case, it becomes ridiculous in the other. But the ideas of Confucius regarding true modesty were by no

means limited. He had an exalted idea of the virtue, and he would have it practised in its fullest extent. "The man of true modesty," says he, "is one who, far from ostentatiously exhibiting to the world his excellencies, seeks as much as possible to hide them in his house." (Y-King, xii. 3.) Nor was the Chinese philosopher backward in giving his opinions on these subjects to those high in authority. He expressed, in the strongest terms, his abhorrence of open injustice and such like, but, in doing so, he did not forget to direct their attention to those minor graces and excellencies which it were well if all in authority were endued with. To the king at the head of the state, or the general at the head of his army, he declares that modesty is equally useful and commendable as to the meanest subject or soldier.

Having thus far drawn our statements of the morals of Confucius from works attributed to himself or confirmed our assertions by references to such works as are universally allowed to have embodied his opinions, or which he himself continually recommended to the perusal of his disciples, we shall conclude this branch of the inquiry with a few general remarks on his system of moral philosophy considered as a whole.

It will be seen that he bases the obligation of mankind to act in conformity with the dictates of virtue on four different considerations. The first of these is *the will of heaven.* On this subject his ideas could not be but confused, yet he firmly believed, or professed himself firmly to believe, that the ancient works which he transcribed, interpreted, and illustrated, contained that will. Sensible of the beauty and excellence of virtue we may easily conceive a man of his sagacity, arguing with himself that if there were superior beings in existence, those beings, like the better part of humanity, must unquestionably delight in the exhibition of virtue amongst mankind if they at all troubled themselves with the doings of such inferior beings; that if there were no such superior beings it would answer no good purpose for him to endeavor to root out the belief from the minds of his fellow-men, whilst advantage *might* be taken of the conviction, to stamp those views which he was convinced it was for the interest of man to be guided by, with the impress of divinity. From some such considerations as these it probably was that he declared heaven to regard with approbation the doings of the good, and to mark with indignation the aberrations of the wicked—that he directed the doubting aspirant after moral excellence to look upon heaven as regarding his progress with no inattentive eye, and to reflect on the favor with which that heaven would ulti-

mately reward him for the dangers and difficulties he met with in his arduous progress.

The second consideration on which his moral precepts were based was *the law of the state.* To insure the quiet submission of the citizens to the laws of their superiors, he doubtless saw the necessity of impressing them with the conviction that obedience to that law was one of the first moral obligations of the good man. Whether he were sensible of the defects in the form of Government, which, during his life-time, and since, has prevailed in China, we have no indication in his writings. He had seen, heard, or read of none other, and the probability is that the possibility of any other form of Government existing, never entered his thoughts. He found despotism reigning, and adopting it as the system which would continue to reign after his death, he applied himself to render it as good as possible, not to endeavour to change it for another. His works abound, as we shall see when we enter upon his political philosophy, with directions the most excellent and advice the most salutary to the rulers as well as to the subjects. In so far then as he could be assisted by the law of the state in the inculcation of his system he gladly availed himself of that assistance, and appears to have left the grosser vices to the correction of the magistrate altogether, sensible, that he who commits them, has not entered upon the pursuit of virtue, and that, till such vices are discarded, his professions are useless. He takes no pains to point out their evil nature, he does not warn his disciples against them, he seldom in fact mentions them, presuming, as it appears to us, that he who wishes to enter upon the life of a sage, must certainly be aware that outward purity is the first great requisite of that pursuit. Yet although he apparently considered it beneath his notice to shew the immorality of murder, adultery, fornication, theft and such like, he takes care to guard his disciples against the insidious approach of these enemies to their mental peace and purity. He does not, for instance, openly tell them that debauchery is bad, but he warns them against listening to lascivious music or witnessing lascivious dances, as being likely to lead to it, and this he conceives to be sufficient.

The third consideration which forms part of the foundation of this moral system is *the promotion of human happiness.* This Confucius repeatedly and truly considers an important object of all teaching, and this too he believes will be attained by the universal acceptation of a true system of morals. There is nothing gloomy or ascetical in his system. On the contrary he would have his sages study the amenities of life

as well as practice its duties—he would have them men fitted not only to improve others by precept but to cultivate them by superior excellence in every thing which tended to promote innocent happiness and well-being. It is on this principle then apparently that he speaks so much of the excellent effects which will certainly follow the attainment of morality and excellence. We have said, that he is earnest in recommending the study of the lighter graces of humanity, but he does not give them, in his system, too prominent a position. In the following sentence, which that able writer on Chinese affairs generally, Professor Kidd, states to be extracted from the writings of the sage himself, he gives us an excellent account of three classes of men, the solid but unpolished, the polished but frivolous, and the *really* superior man—"when solid qualities prevail more than ornamental acquirements, their possessor is a rustic; when embellishments exceed the more substantial virtues he is a coxcomb; but when solidity and ornament are blended in due proportion, the result is *the superior* man." In these words we have a correct account, for they harmonize with his whole system, of the estimation in which he held the lighter graces which so powerfully affect the happiness of mankind. He was certainly not of those who "hope to merit heaven, by making earth a hell."

The fourth basis of the moral system of Confucius is one which will probably be objected to as not being of that practical nature which we have formerly declared to be the characteristic of his system—it is *the beauty and excellence of virtue.* His system was unquestionably a practical one, but it does not therefore exclude every consideration which is not of a practical nature. He was endued with no ordinary sense of the beautiful and sublime, and there are few subjects on which he more feelingly dilates than on the beauty of virtue—its fitness and adaptation to the nature of the universe, its superior excellence, the necessity of its practice if man would fully develope the powers which nature has so liberally granted him. These are themes on which he is never weary of discoursing, and it is on the prominence which this consideration—the beauty of virtue—holds in his system that we found our opinion as to its being one of the fundamental principles of his ethics.

It will be seen that we have not here noted the moral sense or conscience as one of these fundamental principles, and the reason will be deduced from what we have before mentioned on the subject—that the single allusion to it being unsupported and even this mention apparently incidental, it would not

appear to have been a principle on which Confucius laid much stress. On these four then, *the will of heaven, the law of the state, the promotion of human happiness, and the beauty and excellence of virtue,* his system of moral philosophy is based, and, being raised on such a foundation, its comparative excellence, purity, and utility need not astonish us. His object evidently was to do good. There may have been some yearnings after fame mixed up with his better feelings, for what mortal is perfect? but the aim which he pursued, the end he hoped to attain, was evidently to make man happier by making him better. "The object of the great study," he said, "is to bring back man to the supreme good," and no nobler object could have been sought, no nobler enterprize undertaken. But if his object were thus noble, not less so was the fixedness of purpose and integrity of heart with which he pursued it. In the court or in the field, with his prince or his disciples he was equally willing and ready to state his opinions, equally prompt to give his advice. There are grave faults in his system, for his system is human, but in what other human system shall be discovered fewer faults? Shall we prefer the vagueness and absurdity of Brahmanism, the sensuality of Mahommedanism, or the Atheism of Buddhism to the system of Confucius? Each of these has its modicum of truth, for no nation was ever yet without truth in some shape or other, but each of these is defiled by errors grosser than any we shall find in the moral philosophy of the Chinese sage. Reserving, however, our general remarks on the subject for the conclusion, let us now enter briefly upon a digest of his political system.

The practical nature of the entire philosophy of Confucius (a peculiarity which we have noticed before on more than one occasion) forbids that we should look for any elaborate disquisitions in his writings on the origin of civil government. Abstruse speculations as to whether an "original contract," or a question of "expediency," or "early Patriarchal authority," were the origin of government, and of the duty of obedience, would be equally foreign to his system as they were to his country. Yet that his ideas on the subject assimilated to those of the modern writers on Political Philosophy who regard the early Patriarchal institutions as the origin of the present constitution of civil society, is evident from the importance which he attaches to the parental relationship and the consequences which he thence deduces. "Filial piety is the first of moral obligations inculcated on children," and in no other country perhaps is the due observance of this duty so rigorously enforced as in China. What the father is to the

son, the ruler of the state is to his subjects, and whatever reverence is due from the offspring to the parent, whatever amount of obedience, whatever cares and attention, are due likewise by the subjects to the emperor. Hence the absoluteness of the control of the latter, and the heinous character ascribed to revolt or rebellion. It is probable that of the possibility of the continuance of any other form of Government Confucius was ignorant. How easily do we not gradually come to think that the circumstances surrounding us are those which naturally attend humanity, forgetful or unmindful of the influence exercised by accidental attendant circumstances, and inattentive to the social influences around us! If we then, living in a state of society, and at a period, when the connection between different parts of the world is so extended and rapid, and when we cannot help daily coming into contact with effects produced by this state of things, and which would never have been produced otherwise,—if we, under these circumstances, are thus liable to error, how much more a man who lived two thousand years ago in the centre of a vast country like China, who never saw probably any people but Chinese, and never heard the utterance of any other tongue but his own. But even supposing that he was acquainted with other forms of Government besides the despotic, may we not conceive him asking himself what good it would do to his countrymen to shew the possibility, nay, the advantage, of such? or whether it was at all likely that the writings and teachings of an obscure philosopher would be likely to subvert the institutions, hallowed by time, as they were, of an established empire. His was eminently a peaceable disposition and he might well have shuddered at the thought of involving his country in trouble to obtain a doubtful benefit. For these, or other reasons then, he did not attempt to shew the evils of the existing form of government or to propose a better. He contented himself with pointing out the abuses to which the established one was liable, and the remedies by which these abuses might be corrected, and, in doing so, he may probably have added more to the happiness and welfare of his country than if he had addressed himself to that tempting speculation, constitution-making. He was far, however, from inculcating the absolute irresponsibility of the prince, constantly maintaining, on the contrary, that, like other men, he had his duties, which, if he would not fulfill, he was unworthy of the high position which he occupied. Still, it cannot be denied, that the account which he gives of the people's duties in connection with the prince is meagre in the extreme, and eminently despotical.

They may be summed up in one word—*obedience.* True, the sovereign *should* act with justice, with moderation, with clemency, but if he did not, the people's duty was still obedience; heaven *might* be angry with the prince and punish him at some future period, but the people are punished now for no fault of theirs, and their duty is, according to this system, still obedience. This appears to be the grand fundamental error of his political system, and it is one which must have powerfully contributed to rivet the chains of despotism in a country so wonderfully influenced by his opinions. Resistance, under any and every circumstance, to the will of the ruler, bears the aspect of guilt. The error probably arose from his arguing too much from analogy, a fault not peculiar to him, his age, or his country. With extravagant ideas of the importance which attached to the parental relationship, and the evil of resistance to parental authority under all circumstances, he carried these same ideas into his political speculations, arguing apparently, that as the relationship of the subject to the ruler was like that which subsisted between the child and the parent, so was resistance on the part of that subject criminal, because it was so, in his opinion, on the part of the offspring.

Regarding all men as naturally equal to each other and only differing in proportion to the nature and amount of education which they received, he naturally deduced the conclusion that it was the duty of the state to provide a fitting education for its subjects that they might be as superior as possible. (Lun-yu, xvii. 2.) So well has this doctrine been impressed on the body of the people, that, as is well known, literary excellence is almost the only avenue to political power or high official trust in China. "Education," says Professor Kidd, "is a subject of great moment in the arrangements of the supreme Government, who act on the principle that national rule can be safely based only on correct moral sentiments." He proceeds then to tell us that, according to Chinese ideas, children should be taught as soon as they can eat and speak, the avowed object of this instruction being "to restrain their natural propensity to dissipation, and cherish benevolent dispositions"—this being precisely the great object held in view in all the teachings of Confucius, that the attainment of *moral excellence* is the true end of all education. The truth enunciated more than two thousand years ago by Confucius, and very shortly after acted upon by the Chinese Government—*that education is a duty which the state owes to the people*—is one which Europe

has only thoroughly learned within the last century, and had Europe, with its superior enlightenment, given so general and so excellent an education as it might have done even within the last thirty years to its sons and daughters, how different would be its moral, its religious, its social, nay even its political condition, to what it is at the present day!

It will be seen that the ancient Chinese had no limited idea of the proper duty of a Government, when we exhibit the eight "rules" or objects of its attention as enumerated in the Chou-king, a work it will be remembered, collated and probably expurgated by Confucius. The first of these great objects of a Government's attention is the food of the people; on the principle we may conclude, that where that is deficient, all other blessings are likely to be of little use. The second is what may be called "material blessings;" the character (*ho*) which is thus rendered, including all those things likely to render men happy, rich and contented, such as commodities, commerce, money and other matters of this nature. The third is the national religion with all its sacrifices, ceremonial observances and other adjuncts. In every age of the world, men when united as nations, have considered attention to this subject necessary and important. The fourth is designated *Se-Kong* and includes every thing having reference to the dwellings, the roads, the canals, in fact, the physical aspect and sanitory condition of the country generally. The fifth is the due education of the people—an object which we have just shewn Confucius considered of the very utmost importance. The sixth is the administration of justice. The seventh, the reception and treatment of strangers. The eighth, the regulation of military matters (*Chou-king*, iv. 4.) In this comprehensive survey it will be seen that all the more important objects towards which the attention of a Government should be directed are included.

In giving us the picture of a good Prince, Confucius is peculiarly happy in his remarks. Far from taking a superficial view of the case and saying that he ought to commence with this or that political measure, he plainly declares that the first object of his attention should be "to reform and rule himself." This great object being accomplished, he ought then to direct himself to the reform of his family, on the principle that the influence of the family and near relations of a Prince is as great as that of the ruler himself. When these reforms have been made, it will then, and not till then, be time enough for him to set about the reform of his country, for if the prince's words give one advice, and the actions of him-

self or his family another, there can be little doubt that the people will follow that course of the two, which their natural disposition approves of. (Chou-king, i. 4.) In the interpretation of the first enigmatical epigram of the Y-king, we have an account given us of the peculiar qualities which should most distinguish a good sovereign. In the first place, his virtue should be such that no stain can be found in it, no calumny hurt it. Secondly, his mental sagacity should be such that deception cannot be practised upon him. Thirdly, his fitness for business should be sufficient to make him prosecute his duties with ardour. And lastly, his mind should be so stable that no difficulties may divert him from his course. In connection with this somewhat feeble account it will be well perhaps to notice the particular actions recorded in one passage of the Chou-king (iii. 2.) as constituting the excellencies of a distinguished ruler—"you love not, O Prince," says his admirer in addressing him, "either dishonest women or lascivious music; you act with justice towards every one; you place those distinguished for superior virtue in the highest posts; you give large recompense to those who have benefitted you or your kingdom; you treat others as you treat yourself; if you commit faults, you delay not to correct them, you are indulgent and merciful, and in every action of your life you make your good faith appear."

Of the high opinion which Confucius entertained respecting the virtues of humility and modesty, we spoke previously, and in the Y-King we frequently find the possession of the latter quality in the prince extolled as a virtue of the first order (xv. 6.) In a country so despotically ruled as China was, there can be little doubt that the prince induced with modesty would be a public blessing of no ordinary benefit, but when a man has been brought up with so little to make him feel the necessity of this virtue as a Chinese emperor would probably experience, we may readily conclude that the virtue would be rarely exhibited by the individuals composing a line of such princes, just as the blessings to be derived from its exercise would be rarely experienced.

We have formerly stated, that the philosopher does not appear to have considered it in any case lawful for the subject to resist the prince, yet with a strange leaning towards the most tyrannical despotism, he *did* see one occasion on which it would be lawful in the prince to use force towards his subjects. "If the people," he says,* "follow not the will of a moderate and judicious prince, he may use the military to repress

* "In *Siang* commentario," ita in Mohlii *Y-King*, cit. tom I. p. 455.

this disobedience." We can scarcely conceive of a doctrine which might entail more calamitous consequences, if acted upon, than this. Its liability to abuse, its tyrannical character, and its injustice render it quite unworthy of the source whence it proceeded. If they follow not the will of a "moderate and judicious prince," he says,—but who is to judge of his moderation and justice? The probability naturally is, that the people and the prince will have different opinions on that subject,—the former seeing perhaps in his acts plain proof of his rashness and injustice, the latter evidences only of his own virtues. The natural deduction from the dogma is, that however arbitrary, however unjust, however inconsistent with the laws of man, or the will of heaven, such commands might be, the subjects were bound to obey, and if they refused, the prince had a moral right to force them into obedience! Can we wonder at the prevalence of despotism in a country when its most distinguished philosopher could hold and enforce a dogma such as this? Nor is this a solitary instance of the inculcation by Confucius of the most despotical principles of Government. "If the law waxes strong in any kingdom," he asserts, "then absolute power will not be in the hands of the magistrates, but in those of the king or emperor," evidently shewing that he considered this a consummation devoutly to be wished. (Y-King, ix. 1. Inter.)

It is a curious object of enquiry what could have led a man of such evident sagacity of intellect generally to such conclusions as these. That it was not any mis-apprehension of the true functions of a Government, is evident from the frequency with which he assures us, that the aim of all Government is to secure the happiness, well being and safety of the people; nor will the enquirer who is at all conversant with the life and writings of the sage easily persuade himself that it was to gratify the lust of power of the reigning monarch, or, by this subserviency, to ingratiate himself in the monarch's favor. However disposed he might be to observe the proper ceremonies at court, and to render the homage which he conceived his right to the reigning prince, there is nothing in the life or in the expressed opinions of Confucius which could lead us to the conviction that he would sacrifice truth to his own interest in a matter so important. We have shewn by the openness with which we have exhibited all the defects that have presented themselves to our notice in his system that we have no wish to overvalue either the man himself or his philosophy, and in saying that Confucius was not a man likely to be biassed in his opinions by personal con-

siderations, we express merely a conviction which a somewhat extensive acquaintance with his life and opinions has forced upon us. How easy would it have been for him to have promoted his own aggrandisement had he been so disposed! how easy to secure to himself the fame and character of a prophet! But he did neither—where he was really ignorant, he confessed ignorance; where he had arrived at certain conclusions, he boldly gave them expression. His character was unquestionably open and candid, there was nothing in it of the mean or servile. The only explication that we can offer as to how it was that *such* a man should have arrived at such conclusions as those that we have above so strongly condemned, is that having been born and reared in a petty Kingdom where despotism had always prevailed, and seeing nothing but absolute Government prevalent in the surrounding kingdoms, he naturally came to the conclusion that this was really the only true form of rule, and by analogical reasoning founded upon a consideration of the parental relationship, he arrived at the same conclusion. On this basis being established, it is not difficult to conceive of his thence deducing the *necessity*, in order to the due conduct of the Government, and its energetic administration, of the entire power being absolutely given into the sovereign's hands, the duty of the philosopher then consisting in giving to that sovereign proper rules for his guidance, and such is precisely the object of the great majority of the political writings of Confucius. If all power were not to be given to the emperor, we may imagine him arguing with himself, where is the limit to be drawn? and if the education of the prince be attended to and moral maxims duly instilled, the probability is, that instead of abusing his power he will use it for its legitimate purposes. On some such train of reasoning as this, we conclude it was, that the dogmas of the philosopher were founded.

There is not much to detain us on this branch of his system. With the one great fault of inculcating the worst form of despotism it exhibits to us in other respects many admirable features. We have previously noticed the importance which he attached to the encouragement of virtuous men in a state, which constitutes one of the principles whence he deduces rules for the guidance of the prince's conduct. He exposes in another place (*Lun-yu*, xiii. 9) the folly of attempting the education of a people who have not previously been rendered contented, thereby proving to the ruler that this—the rendering of his subjects contented—should be the first object of his attention. There is more truth in this opinion than probably at first impresses itself upon the attention of the observer, and in its state-

ment, Confucius plainly proves that he was well qualified for the post which he undertook, that of adviser to his sovereign. His frank confession of his ignorance of the military science we have previously recorded when noticing the characteristics which peculiarly distinguished him from other teachers of mankind.

On the whole then, we must regard the political system of Confucius as one, in some respects, of great excellence, but based on an error, and therefore of little use. The excessively despotical character of his opinions on this subject is the error to which we refer, and which neutralizes the good that might otherwise result from the adoption of his views. His system is a social one—one which inculcates that a people's happiness is more the result of their own individual character than of the government under which they live, and in this he was probably right, for if the social system be deranged, the political is not likely to be of much use in promoting the happiness of the households. Hence it will be seen then, that in characterizing his political system as we have done, when taken in connection with his ethics, we were right; whilst judging it by itself, it is eminently defective. The point in the former of these systems, however, which most strikingly bespeaks our admiration, is the openness and boldness with which he reproves the follies and vices of princes. Indeed it could not have escaped his observation that, if the Government was to be so eminently despotical, its excellence or inferiority rested solely on the character of the ruler, and hence it probably arises that we find him losing no opportunity of openly warning him what will be the result of wickedness on his part, and what the consequence of virtue. There is one other point of the political scheme that he has mapped out, which particularly calls for our admiration—the inculcation on the Government of the *duty* of educating the people. None can be more explicit on this subject than he is, and none can enforce it with better arguments in its favor. In this respect, and in this respect alone, he was nearly two thousand years in advance of the political philosophers of Europe.

Confucius is to be viewed in a double relationship to his countrymen; first, as the regenerator of their religious system, and, secondly, as the founder of their philosophy. Few men have succeeded so well in stamping their own character and institutions upon future ages as he, and when we reflect on the immense multitudes who have followed his footsteps from his own, to the present time, and on the extent of country over which his opinions are revered with all the awe of sanctity, we shall find

it difficult to obtain a suitable parallel with which to compare him. Of those who have given religious and moral systems to the world based entirely upon their own reasonings, Gotamo Buddha, and Mahommed are, besides Confucius, the most illustrious examples. The first of these bears a greater similarity to the Chinese philosopher than the second. There are doubtless some better qualities in the system of the Arabic prophet, but its tendency is evidently to sensualize the mind, to bring down the nobler and more etherial part of man to a level with his mere animal nature, and to make him look upon the one half of his own species as merely an instrument of pleasure for the other. That these great defects are mingled certainly with some redeeming points, and that the Arabians owed much to his doctrines and faith are indisputable facts; we merely record the peculiarities we have noted to shew, that as a moral system intended to promote the welfare and happiness of mankind it will not bear a comparison with the system of Confucius.

The Buddhistic system bears a much closer analogy to that of the Chinese philosopher. Its pure and simple moral code, its peaceable character, its somewhat sceptical tendency, and its high appreciation of moral purity, are all points in which it bears a striking similarity to the Chinese, whilst the life of the Buddhistic prophet, Gotamo, who flourished probably about the same time as Confucius, bears likewise a similitude to that of the founder of the Chinese system. They both appear to have been men of no ordinary acuteness, men in fact of extraordinary mental power, who had the ability to hew out a connected system from the quarry of opinions which they discovered, and were brought into contact with around them, and the talent to impress that system widely and firmly on the minds of their followers.

The distinguishing characteristic of the mind of Confucius does not appear to have been so much originality of conception, as a high and elevated power of appreciating moral and mental excellence. That he was largely impressed with the sentiment of the sublime, abundant anecdotes in the *Lun-yu* prove. A keen poetic conception of the grandeur and majesty of nature was evidently one of his characteristics, and, as he usually gave expression to his inmost feelings when conversing with his disciples, we find this conception continually bodying itself forth in words. Standing on the banks of one of the great rivers of China, he exclained, "How majestically it rolls along—it ceases not day or night." His poetic temperament is proved, too, by the estimation in which he held the songs of his country, embodying doubtless at that early age, much of the intellectual vigour and many outward manifesta-

tions of the Chinese mind of the time. Deeply embued with this reverence for, and admiration of, external nature and its beauties, he did not however stop here, and, in his further progress entered the region of philosophy, and left that of poesy. Had he not made this intellectual step forwards, he might have been *the poet*, perhaps, but he never would have been *the philosopher* of his country. We would by no means undervalue "the divine art," but how immeasurably less would have been his influence had he not gone beyond the region of poesy! He never, under those circumstances, could have been the regenerator, the law-giver, the founder of the philosophy, of his country. Carrying, then, this admiration of beauty into the region of the moral world, and leaving for a time external nature, he fixed his gaze upon virtue as the object most worthy, in that world, of his pursuit and estimation. This was the guiding star of his future life. As we pursue a phantom in the natural world, if we admire its beauty in order to have a nearer inspection; as we approach the beautiful which strikes us in the objects around us in order that we may more carefully examine them; and as we yearn to possess and enjoy the forms of beauty which flit around us in the world's throng—so did Confucius pursue moral purity, so did he contemplate with pleasure that purity in others, and yearn to call it his. And as this virtue was the great object to attain which, he spent year after year, and conquered one evil disposition after another, so do we find him pointing it out to his disciples and the world as the object worthy of their pursuit likewise, until the conviction rooted and grew upon his mind that the world would not be what it ought to be, until this virtue—this object of supreme moral beauty—were the cynosure of all eyes, the directing star by which their voyage through life was to be steered. In the directions which he gives to the rich and the poor, to the prince and his subjects, to his own disciples and the world, virtue is invariably presented as the chief object of pursuit. It might, or it might not be acceptable to superior beings, but he believed it was—heaven might or it might not, reward the possessor of this virtue in another world, he hoped it would,—but of this, his writings attest that he was confident, that to man as an individual, to man as a member of a family, and to man as a citizen, virtue was equally valuable, equally necessary to his happiness. Let us contemplate, but for a moment, what the condition of the world would be if his views were carried out,—we should have a reign of benevolence, of virtue, of the purest domestic affections, of every thing that is kind and good and true and honest, which would certainly make the world, a world of Saturnian

happiness, and bring back man to that fabled era of contentment.

But there was another element in the character of this extraordinary man, besides the absorbing adoration of virtue, which we cannot pass over in silence. It was his intense love of his fellow-man. To him, it is true, his countrymen were all mankind, for he knew none others—he therefore speaks of them as such, but we are not on this account to conclude that his sympathy was confined to his countrymen alone. If it were so, he would be no true hero, for none such lives *only* for a country. The names which take the highest place in the catalogue of human worthies are only such as have sympathy for all mankind, not for this or that corner of the world. His system we call the Chinese, not because it was expressly intended for men born in China, and for none others, but because it happens to be there prevalent. It was evidently intended originally for humanity generally, not for Chinese humanity only. This intense love of the human race beams forth whenever he enters upon the results likely to follow adherence to his dogmas. The gratification and delight with which he contemplates the attainment by an individual of the "superiority," of which he so strongly advocates the necessity, are evidently the offspring of pure benevolence. He is gratified and happy not because they have followed *his* system, but because they have attained that which will make them happy. This universal benevolence is further exemplified in the estimation in which he held the lighter graces that tend to gladden the soul. There was nothing harsh and morose about him; he delighted to see men happy; he knew that numbers are rendered happy by these means, and he would have been the last in the world to check that happiness or take these means of happiness away. The hermit or misanthropist who removes himself from the contemplation of human life because he believes that the temptations he meets in the world may prove too strong for him, and who exercises his virtues in private with a kind of fiendish gratification that man and he have no more connection with each other, would find little sympathy in the mind of such an one as Confucius was. They might have the same admiration of virtue, the same horror of vice, but their characters would be the reverse of each other, because the one had, and the other had not, benevolence. The one wrapped up in a gloomy selfishness would cherish his virtues closer because other men had them not; the other would be for distributing them to all the world.

Again, the character of Confucius is distinguished by its ingenuousness. There was no deceit, no craftiness, about himself

personally. Such as he was he loved to be seen of his disciples, and to exhibit himself to the world. We speak now of his *personal individual character*, not of his systems; he was sometimes obliged to do violence to his feelings in them, in order to be consistent, but in every thing relating to himself he was candid and open. How easy would it not have been for him to have assumed a higher position than he did. He was no vulgar prophet. "I am the most exalted in the world; I am the chief in the world; I am the most excellent in the world"—such were the assertions of the founder or revivifyer of the Buddhistic sect. "There is no God but God, and Mahommed is the prophet of God," was the battle cry which the Arabian pretender taught to his disciples; but in the case of Confucius there was no assumption of sanctity, no arrogation to himself of superiority: his expressions were humble and modest.—"I was not born," was his simple confession, "endowed with all knowledge, I am merely a man who loved the ancients, and who did all I could to arrive at truth;" what a contrast to the bombast, the arrogance, the self-exaltation of Gotamo and Mahommed! We shall not be able duly to appreciate the ingenuousness of the reply we have above quoted unless we reflect on the position which Confucius occupied at the time he gave it. He was looked up to by numerous disciples as something more than a man—kings were eager to obtain his advice and counsel—the multitude were ready to fall down and worship him if he gave them but the signal. Did it require then no self denial on his part, no ingenuousness, no moral courage, no repression of ambition to reply, "I was not born endowed with all knowledge, I am merely a man who loved the ancients and who did all I could to arrive at truth?"

Those only who are unacquainted with the Chinese sacred books will think that we have, in these observations, overdrawn the character of Confucius, or presented it in too favorable a light. Our object has been to pourtray his systems of philosophy in such a manner that none can charge us with undue partiality for them, and in our anxiety so to do, it may be that we have presented their defects in too prominent a light. But with regard to his personal character, reviewing it as developed in his writings and those of his disciples, we have little hesitation in asserting that no unbiassed enquirer can rise from the perusal of these works without the highest admiration of the *man*, as a natural man, esteem or despise the *philosopher* as he may.

Since the foregoing remarks were written we had the curiosity to turn to the account of the great Chinese Philosopher which has been furnished by one of the most recent and popu-

lar authorities in the literary world—the Encyclopedia Britannica. And seldom have we been more disappointed. The sketch is altogether a most meagre and unsatisfactory one—one, indeed, wholly unworthy of the general high character of the work in which it is contained. Its brevity may be judged of from the fact of its occupying only a *single* page; its unsatisfactoriness, from the circumstance of its supplying only the *names* or *titles* of the Philosopher's works, with no attempt to impart any notion whatever of their contents! Now such an account of such a man—a man, the impress of whose mind and principles has for upwards of two thousand years been enstamped on the institutions of the most populous of Empires—can scarcely be said to be creditable to the conductors of a work of such high pretensions as the Encyclopedia Britannica. That such an article on Confucius should have appeared in that work, in its first edition, nearly eighty years ago, when comparatively little was known of China and its affairs, would be nothing surprising. But that such an article should find a place in the seventh edition of the work, and in a volume bearing the recent date of 1842, when new stores of information on every Chinese subject have been accumulated in no stinted measure, is surely calculated to excite at once regret and surprize. The little which the article does contain, is of a biographical description. And here it is but justice to the author to say, that he appears to have formed a proper estimate of the personal character of the Philosopher. He tells us that nature had bestowed on him "a most amiable temper," and that his own "moral character was altogether unexceptionable"—that he acquired "a distinguished reputation for humility, sincerity, the government of his appetites, a disinterested heart, and a sovereign contempt of wealth." After alluding to his strenuous efforts in attempting to effect the moral, political, and religious reformation of his own native province—his temporary success and subsequent failure—the Encyclopedist thus proceeds:—"Finding it a hopeless attempt to stem the universal torrent of corruption and depravity, he resolved to exert his talents in some distant kingdom, in the philanthropic cause of moral reformation with better hopes of success. But he had the mortification to discover that vice was everywhere triumphant, while virtue was compelled to hide her head. This induced him to adopt the more humble, although not the less interesting, employment of a teacher of youth, in which he made great and rapid progress. About six hundred of his scholars were sent to different parts of the empire to carry on his favourite work of moral reformation. Indefatigable, however, as his labours were, the task was too mighty to be

accomplished by human exertions. During his last illness, he declared to his pupils, that the grief of his mind occasioned by the profligacy of human nature had become insupportable; and with a melancholy voice he exclaimed, 'Immense mountain, how art thou fallen! the grand machine is demolished, and the wise and the virtuous are no more. The kings will not follow my maxims: I am no longer useful on earth; it is, therefore, time that I should quit it.' On uttering these words he was seized with a lethargy, which brought him to the grave."

In conclusion, we may once more state what has been repeatedly announced already, that our present design has been neither to vindicate nor to confute the systems of Confucius, but simply to shew what they really are;—though it has been found impossible wholly to abstain from the expression of a passing reflection. From a careful perusal of such of his writings as have been rendered accessible to us, we are inclined to concur in the eulogium which the Encyclopedist has pronounced on his system of morality, when he says, that it is "in many respects superior to that of Greece and Rome, and yields to none upon earth, *except to that of Divine Revelation.*" In other words, as a system of mere natural or human morality—such morality as unregenerate man may conceive and attain to by his own unaided efforts—that of Confucius may be allowed to hold the foremost place. And yet, however excellent as a mere human system, how immeasurably short it comes of that which is Divine! To it we may well apply the pointed remarks of an American journalist, when descanting on the subject of "comparative morality" generally; that is, a comparison of the moral systems which obtained among the most enlightened nations of antiquity, with the perfect law of God, in two points of view, *as systems of rules,* and *as systems of motives.* "The classical reader," says he, "cannot but be struck with particular sentiments in the moral writers of Greece and Rome. But compare the most perfect body of moral rules with which they were acquainted, with the law of God, and how great the difference; how many virtues are omitted. But even supposing it to be complete as a code of moral laws, how destitute of power to enforce them. On the other hand, how grand, how mighty the motives which the Christian moralist can employ. We need not point them out; we shall only observe that while the study of comparative morality would bring the Collegian's classic stores into requisition, it would afford his teacher an admirable opportunity of inculcating some of the most distinctive and important truths of the Gospel."

ART. IV.—1. *An Act for establishing a Court of Subordinate Jurisdiction in the City of Calcutta. (Read in Council for the first time on the* 13*th March,* 1847.*) Calcutta Gazette, March* 27.

2. *An Act for the Improvement of the Administration of Justice in the Supreme Court of Judicature at Fort William in Bengal. Read first time* 13*th March,* 1847.—*Ibid.*

3. *An Act for facilitating the execution of the Process of the Supreme Court of Judicature at Fort William in Bengal and the taking of affidavits out of the limits of the Jurisdiction of the said Court. Read first time* 13*th March,* 1847.—*Ibid.*

THE reading in Council on one day of three draft Acts for the improvement of the administration of justice in one presidency, is, for India, a great fact, and equally gratifying and remarkable, when we recollect that the object of one of the three has apparently been dropped, after having been for several years from time to time in different shapes before the Legislative Council and in the Gazette; and that the other two acts are for the Reform of a Court which presumed in its early days to defy and overawe the Government,* and in which proved abuses of various kinds have been preserved almost like sacred things. The first mentioned draft act, for the establishment of a Subordinate Court in and for Calcutta, affords extrinsically as respects its origin and history, and intrinsically as regards its present provisions, curious matter for reflection. Its origin was as follows: for many years there had been a small Cause Court or Court of Requests, with a jurisdiction to the amount of Rupees 350 (£35), *legally* extending only to *debts*, but which had been exercised generally as to all kinds of causes of action. An attorney of the Supreme Court having discovered the excess of jurisdiction in a case against one of his clients, brought an action against a native judge of the court, who was defended at the expense of the Government, but the decision on the question of jurisdiction was against him, and the Government compromised for the damages at rupees 200 (£20 twenty) and paid the costs altogether amounting to upwards of £220. The case made a strong impression on the intelligent part of the native, as well as on the small European, community. The result was that the Court took care afterwards to keep within its strictly legal jurisdiction:

* Mill's British India.

but the public were left remediless to a very great extent, after having for years had resort to a court which gave general satisfaction. Petitions consequently were sent in to the Bengal Government, by persons who had wrongs to redress and found themselves disappointed of the remedy to which they had been accustomed. The Government gave them its pen-and-ink sympathy, and official documents on the subject rapidly multiplied, until they formed a very considerable volume. We will endeavour to give some idea of the proceedings. The Government of Bengal consists of a Governor, without a Council, who at this time happened to be Lord Auckland; and in reference to the petitions and complaints alluded to, his Lordship addressed the Governor-General, that is, himself, in Council, in the following terms :—

"His Lordship is credibly informed that the state of things arising out of the decision of the case in question is productive of serious inconvenience to the public of Calcutta, and deserves to be remedied as speedily as may be possible. His Lordship would earnestly recommend the Governor-General in Council to give an early attention to this matter in which *further delay does not appear to be just to a large population or creditable to the Legislature.*"

Two or three years had been lost when this was written; for though the decision of the action was recent, the Court was as effectually paralyzed by the pendency of it as by the decision. This letter now takes us to Council, where the dramatis personæ are Lord Auckland, as Governor-General, the head too of the Legislative body, at a legislative sitting, considering his own letter before Council: Mr. Amos, at a desk on one side of the council table, ready to assist the legislative incubation, as legislative member of Council and head of the Law Commission: there was also the military member, and as usual a senior member of the Civil Service in Council. The Governor-General could not be expected to draw a Bill; but having as Governor of Bengal represented the urgent necessity for one, he might have proposed, and there was Mr. Amos to draw one: but as if these gentlemen had not the gift of speech, and instead of doing what men of business intent on the object before them would have done, they write Minutes which we shall now quote, to introduce a few remarks on the dilatory routine too often, as in the present instance, ending in nothing.

Mr. Amos's Minute :—

"I think the Council are aware, that if a law is wanted for the Court of Requests according to the most eligible of the two or three schemes which are most deserving consideration, *the whole might be disposed of in a fortnight, and might have been so disposed of in any fortnight during the last three years*: but then a report from the Law Commission must have been dispensed with.'

* * * * * * *

"If the Council want immediately a scheme for a Court of Requests, I have always said, I only required a day's notice to lay several before them which may deserve their consideration."

And then follows a suggestion that the Council should write to the following effect to the Law Commission:—

"That it has become necessary to modify the Court of Requests and an Act for the purpose cannot be delayed beyond the next month. The Council is anxious for the opinions of the Law Commission, but in order that they may be of practical use, it is wished that they be forwarded to Council before the middle of next month."

Now this we take to be the retort courteous, and not an unreasonable one, to the letter of Lord Auckland; that letter conveyed in import a reproach, though not pointed to any one; which could not be meant for the Military member of Council, for he would be as indifferent on such a subject as the Duke of Wellington, and doubtless would agree with the Governor-General to any Act, especially if Lord Auckland and Mr. Amos's views were concurrent: as little could it be meant to apply to the Governor-General, because it was uttered by him: and the only other person to whom it could colorably apply was Mr. Amos, the legislative Member of Council who shewed that the Governor-General himself knew that it did not justly apply to him. Here then we have check mate to every hypothesis of personal blame attaching to any one. To what cause then is to be ascribed a state of things so much deprecated by the Legislative Council, who apparently possessing the power to correct it, yet did not. The instance is not a solitary one, and we take the following to be the true solution; that the policy inculcated on the Indian by the Home Government is, as a general rule, to pass no Legislative acts without its previous sanction or direction; and although this like all rules, it may be said, must admit of exceptions, yet to make them involves a responsibility, and requires more mind and decision of character than is possessed by all Governor-Generals. In acting on the general rule, the local Government must have regard to the situation of the home Government; and this clearly is not in a condition generally to give its sanction or even to take into consideration purely local and Indian objects without a great deal of explanation which involves long reports and disquisitions in writing: hence Mr. Amos's remark about dispensing with a report from the Law Commission; and thus time runs on: much is wasted here, in preparing each case for consideration at home, and when it gets there, it miscarries from the very pains taken to obtain

parturition. If our readers will only turn to the special Reports of the Indian Law Commission, they will see ample proof of this explanation; and for corroboration, we may refer to the course adopted by the Legislative Council with the draft acts now under consideration: although the subject of a local Court has been discussed in every possible form, and the documents connected with it, would make a good thick volume, yet the second reading of the present draft act is postponed for some months from the time of publication, in order that the Council may be governed by the Court of Directors, to whom the draft is again sent for their sanction or rejection. And what is the consequence? The Law Commission, first injured in *popular* estimation under the idea that *it* was the clog to legislation, has been cashiered by the Court, though ordained by Parliament: and the Supreme Government itself is in danger of losing the respect of the people; being regarded as a body endowed indeed with a mind to deliberate and advise, but without a will or the principle of action; and the public accordingly, taking this view of acts of Council, are indifferent, and when the present acts made their appearance, friends and foes alike treated the publication of them with, we may say, derision,—as trifling with their hopes or their fears,—as the freak of some solitary law reform member of Council,—or as a fanciful mode by which the Council chose to announce its partial recovery after some months of suspended animation. There is no mistaking these signs of the times: it is far from agreeable to us to record them: but the true statesman in a clime too distant for him to observe them, will, if he is a lover of his country or his kind, heed them.

But we have not yet concluded the history of this attempt at Legislation. We have quoted the Minute of Mr. Amos; the subject being again before our Hon'ble Masters the Court of Directors, it may help them to come to a right decision, if we also quote what we will call the reply to Mr. Amos, in the Minute two days after (28th Jan. 1841) of the Governor-General:—

"I am strongly of opinion that no further delay should be allowed in this matter, and I would ask Mr. Amos at once to lay before us a draft act for removing the disabilities under which the Court of Requests at present labours and for extending its jurisdiction, an object to which I attach much importance, as far as can prudently and usefully be done. Such a scheme would include a provision for a single process and examination of parties, the appointment if thought necessary of a limited number of jurors, with a ready appeal to the Supreme Court."

Mr. Amos's response to this call was immediate. In two

days he presented to Council, a draft Act, which being objected to, in five days more he submitted a new draft Act free from the suggested objections: at the same time the Law Commissioners were at work, and within the prescribed period had prepared a comprehensive and adequate measure, and which forms the basis of the present draft act. Nothing appears to have been done by Council in respect of either of these measures: but at the end of seven months, about the time within which the opinion of the Court of Directors* may have come out, another draft act, makes its appearance;—a wholly new act, emanating from the Law Commission, indorsed with the distinguished names of Amos, Cameron, Millett, Elliott, Borrodaile, and entitled as a *temporary* act; in fact framed on the precedent of the small Cause Court at Bombay, and according with the evidence and suggestions of Sir Edward Hyde East before a Committee of the House of Lords. But this well meant plan—creditable in every respect to the Law Commissioners, did not advance the object,—to give justice to the people. Its leading provision was, that the Judges of the Supreme Court should be Judges of the Court of Requests, for deciding through its simple inexpensive forms, the class of causes over which that Court lost its jurisdiction by the decision alluded to. The Governor-General chose to refer this new draft to Lawrence Peel, Esq., the Advocate General; who, after nearly three months gave his opinion, and then, in fact annulled this work of the Law Commission; for he disapproved the fundamental and essential provision, or that which prescribes the law of the Court, viz. that it should make decrees "agreeable to equity and good conscience, following such law as the Supreme Court would have administered, if the matter had been brought before it on an action at law." Mr. Peel's objection proved a most untoward, and we may add it was an unfounded one, made, it appears, in haste, and certainly under a misconception, as appears on Mr. Peel's own shewing; for candidly enough, after making the objection, he states his preference to something else, which is for the very thing (law) objected to, but under a different phraseology, form of words, or expression: and that this was the case Mr. Peel appears afterwards to have been made aware, according to the following extract from Mr Elliott, the Law Commissioner's annotation:—

* Independent Members of Parliament would do good service to the public, always to take care that the correspondence and acts or resolutions of the Court of Directors are given with papers from any of the Indian authorities.

"Objects" (i.e. Mr. Peel in his letter objects) "to decrees according to equity and good conscience: does not notice, however, the qualifying words, following such law as the Supreme Court would have administered: and I understand from Mr. Cameron that he has had a conversation with Mr. Peel on this point, and that *upon his explanation* Mr. Peel is not inclined to *insist upon his objection*." But Mr. Peel, we opine, when he became Chief Justice, the present Sir Lawrence, had other objections; or the act would have become law, because no subsequent Advocate General is at all likely to have opposed his opinions; the opinions of the Law Commission remained unchanged; and the public who were chiefly concerned, are still in the very predicament in which they were placed so many years ago by the decision which originated this question; which so distressed Lord Auckland; gave so much trouble to the Law Commission, and made a blank in the administration of justice to an extent compared with which the abolition of the Supreme Court might be a trifle. There are few ills in this life, but have some compensatory action; Mr. Peel's non-apprehension of the meaning of the phrase "decrees according to equity and good conscience following the law" has elicited from the Law Commission an elaborate historical and legal elucidation, by which it appears that however unknown these terms may be to the mere technical lawyer, they are not new, there is ample authority for them, and in the absence of a code of substantive law to refer to as an index of the subjects of jurisdiction, we believe it is difficult to find better, if equivalent.

The next official document on which our eye accidentally alights we will quote for its singularity, while at the same time it illustrates, not how the left hand may be prevented from knowing what the right hand doeth, but how right and left hand may maintain a distant telegraphic co-existence and action, and thus greatly, as we apprehend, occasion delay and embarrassment. We have seen the Governor of Bengal writing to the Governor-General, the two official characters being united in one person, and when instead of writing, he should have had the petitions put into the green box and taken to Council. Now, we have a letter (No. 639 in the Special Reports of the India Law Commissioners) on the subject of the new Court, thus faithfully entitled:—

"From F. J. Halliday, Secretary to the Government of Bengal, to F. J. Halliday, Esq. Officiating Secretary to the Government of India Judicial Department."

And, probably, before we conclude we shall find the further

refinement, of A. B. of the Government of Bengal in the judicial department, writing to himself in some other department of the same Government. Much better than this would it be,—rather it is, a sort of playing at shuttlecock: our condemnation is of the system; not only does it not help on the real business of Government: but by multiplying written papers it makes the apprehension of it difficult and often impossible, and in a degree accounts for the slow progress of legislation.

We have applauded the plan of a temporary Court of limited jurisdiction, until the plan of a more extensive one could receive the sanction of the home authorities: and we did so, in reference to the motives of the Law Commissioners. They wished no more time to be lost, and were obviously actuated by a laudable zeal for the public interests. Nor was it any fault of theirs that the plan was referred to the Advocate General; and as little so, that he disapproved it under a misapprehension. But we must here note one practical fault in the plan, which was sure, as proved to be the fact, to be fatal to it: it was supposed to involve the necessity of a reference to the Supreme Court Judges. In this remark we allude to the provision noticed above which assigned the *new* business of the Court of Requests to the Supreme Court Judges. The provision was indeed, abstractedly, a justifiable one: a corresponding provision worked well at Bombay; it was in conformity with the suggestions of Sir Edward Hyde East, and naturally grew out of the more recent opinion of Chief Justice Sir Edward Ryan; who, in overruling the jurisdiction of the old Court of Requests, expressly stated that such causes as that in question could be safely adjudicated only by judges having professional learning. When however the Calcutta judges came to give their opinion, as if the matter was submitted *ab ovo*, they made all sorts of criticisms, suggestions and objections, which in conformity with all analogous experience, effectually stopped the act, obstructed the legislative machine, and converted what, as professedly a *temporary* measure, was intended to come into *immediate* operation, into a PERMANENT subject of *discussion*. Great as may be our respect for these learned gentlemen when sitting on their own appointed tribunal, though dealing with forms which to others seem but to entangle justice, or at best to be a waste of ingenuity and time, an abuse of learning and talent, we must hold them amenable to public opinion, when thus conspicuously, as appears in public documents, their opinions obstruct the course of legislation, and keep, as in effect they have done, all that class of rights which Sir Edward Ryan

pronounced too abstruse for Courts of Requests, in abeyance, or rather annulled them, by postponing or resisting the desire of the local Government and the Law Commissioners to bring those rights temporarily under their personal cognizance. *Litera scripta manet.* On two of their objections we must offer our animadversion : one, a doubt about the judges having sufficient leisure, the other, Mr. Peel's objection to administering Law as a Court of conscience :—as to the last, it was founded, as Mr. Elliott noted, in misapprehension, and as is indeed apparent not only on a fair construction of the words of the act, but from this further consideration, that the very reason for introducing the judges of the Supreme Court into the Court of Requests was in order that the Supreme Court law might be administered, and not the law of a Court of conscience, which was left for other cases; and as to having time, we who live on the spot and know for what proportions of the year the Supreme Court is open at all, and how often one or other of the judges is absent for pleasure or recreation, also know that want of time at least is a very insufficient objection.

Almost every course which learning, ingenuity, and zeal for the public interests could suggest had been adopted by the Law Commissioners. They presented to Government at different times, within a short period, as many as four drafts filling up the blank complained of in the administration of justice;—each of the four differing from the other, in some way so as to suit, it might be supposed, the prevailing opinion or majority; and besides these, a draft act (to use a naturalist's phrase) of a different family, and the parent of the one before us. Thus, one of the four did no more nor less than restore to the Court of Requests the jurisdiction which it had for many years exercised, but of which the decision of the Supreme Court deprived it; another, besides doing this, increased the amount of which the Court might take cognizance, and as to cases of larger amount, superadded the very useful provision, of impowering the Court *on questions of law* to refer a special case for the opinion of the judges of the Supreme Court; a third was that temporary act to which Mr. Advocate General Peel first, and afterward the judges were recalcitrant; a fourth was for a more limited jurisdiction (as appears to us) than any of the preceding. All these are no more: one and all they have met their doom undeservedly, and now our last resource is in the draft act before us, which we will proceed rapidly to notice, in connection with its history and the cognate acts.

The draft Act now in Council is a third, if not fourth edition: the first edition was despatched in July 1841 from the office of the Law Commission to the Supreme Government; and in June 1842, that is, after laying twelve months on the table, was brought under legislative consultation, and of course one or more minutes were written; but nothing done really to forward legislation. A revised draft appeared two years after, containing no very remarkable alterations: and now in March 1847, a third draft, comprizing much of the two former drafts, but in some respects also embodying principles expressly discountenanced and combated by the Law Commission. We must therefore beg our readers to bear this distinction in mind, in what follows, as we have formed a very different opinion of the original scheme and its recent derivative; and purpose making a separate comment upon them. The last is really a plan for a small cause court: the original a plan of a Court of subordinate but general jurisdiction.

1.—*The Subordinate Court on the original plan of the Commissioners.*

It will be proper in the first place, to note the distinctive character of this measure in relation to the abandoned Acts, already referred to. The latter, as we have shewn above, were prepared, under pressing representations of an immediate necessity, to meet a particular emergency; suddenly to repair a breach in the jurisdiction of the Court of Requests in Calcutta. But the Law Commissioners had under consideration at the time when the emergency occurred, the state of judicature in India generally: and were expressly charged, as we understand, with the duty of preparing an Act for a new Court in another presidency: it happened, therefore, that the Subordinate Court, as originally planned, contains their more deliberate views, and contrasts with the others, in being intended for general application, in the establishment of new and the reconstruction of the oldj udicatories; in justice, therefore, it should be considered with reference to that general object, and not merely in relation to the immediate local demand in the Court of Requests in Calcutta. The Commissioners have explained the principles on which they proposed the Court to be constructed, in a very able Report now before us. "In no country," they remark, "are the judicatories of the capital so completely isolated from those of the provinces as in the three presidencies of British India." This so called isolation the Law Commissioners regard as an evil, and as a part of the fundamental remedy for it, they propose to subject all the Judica-

tories, Presidency and Country, to one common appellate jurisdiction and eventually to form them all after one model: which model is presented in the original Act, which we have designated as the parent of the one now before Council. We will proceed to note its general characteristics and peculiarities.

And first, as to the jurisdiction of the Court, as originally designed by the Commissioners, it is local; and it is not limited in reference to the *value* or amount of the subject in litigation: a distinction under which, justice, in Courts of local jurisdiction generally labours: small causes and large are alike to be within its cognizance and brought under the same procedure; in this arrangement we perceive a just and equal regard for the rights, presumably because small, of the *poor* and of the rich suitor; though in thus distinguishing rights we must observe, we express rather the prevailing notion than our own: for according to our experience and observation, rich as well as poor men, great merchants as well as small tradesmen, have small interests, if they have also large ones: and out of large interests often spring small wrongs and small causes of action; which, though not of vital importance, are not indifferent. The Commissioners therefore, as appears to us, did wisely and well, and exhibited intellectual independence, besides a large practical benevolence, in setting aside in the construction of their Court, the law-craft prejudice against causes undistinguishable from others, except that they will not bear the usual professional exactions. The arbitrary limit to the jurisdiction of highly qualified courts is, we are aware, sometimes defended on the ground of public convenience. The state cannot afford expensive, high paid judicial establishments to try trifles: le jeu ne vaut pas la chandelle: but without adverting to the resource of retrenchment, which might perchance make it possible to support two or more courts at the expense of one at present, —we must deny the right of those from whom the argument proceeds to put forward any such exclusionary exception: for where, so surely as in the Supreme Courts from which small causes are excluded, can we find the quintessence of petty-fogging: where so much display of the small chicane which delights small understandings. In India, indeed, the evil, though great, is seen only on a small scale; but in England, we are assured, as much time is occupied by the Judges of the superior Courts in deciding what in common honesty and common sense can only be called most diminutively small questions, incidentally arising out of an irrational procedure, than in deciding great ones: these small questions have

indeed a pendant of professional costs attached to them: but still, small questions, "small causes," small technical interludes, they are, and the time so consumed would go a long way to dispose of rights recognised in substantive law, though of small amount; and rights truly they are, though not legitimatized by descent from a technical origin.

Secondly, the Court in its constituent materials, is adapted for the exercise of the general jurisdiction just mentioned. To avoid, on the one hand, the defect of Courts of Requests, in not having competent learning correctly to decide difficult questions of law, which occasionally come before them: and on the other hand to avoid the opposite fault of Supreme Courts, of having nothing but heavy and often unmanageable machinery to apply to cases for which the common sense of Courts of Requests would be competent; the Commissioners propose to combine the characteristics of both systems. They propose to constitute their Bench of one or more professional persons (Barristers of not less than five years standing) and one or more non-professional persons: to whom the business would be distributed according to their respective qualifications and to the nature of the questions in dispute; and the procedure of the Court is of course adapted to the working out of this system. Every cause (except those which admit of a summary or immediate decision) is to pass through two stages; the first of which we may call the preliminary investigation, when will be elicited—as is professed to be done by special pleading, the questions in dispute and the admissions: and which being ascertained, are then to be referred for formal consideration or trial; the questions of law to the professional judge: and difficult questions of fact, whether arising out of a small cause or a great one; the others to the non-professional persons.

Thirdly, as respects the *Law* of the Court, the Commissioners designed it to be the law administered by the Supreme Court as a Court of Common Law, except when equity is in conflict with the Common Law, and then equity or rather equity-law is to be administered, that is, the Court shall have cognizance only of matters which in the Supreme Court are within its Common Law jurisdiction, but those rules of law called equity shall be followed when they differ from those rules of law called law, and when, consequently, a Court of Equity would restrain the execution of a Common Law judgment or give a different one. Thus it appears, the law of this Court is intended to be the English law; but it is to discard as law, what a Court of equity

will not allow to be such, or will not, if its interference is prayed and paid for, allow to be executed.

We cannot do better than avail ourselves here of an exposition,* from the pen of a member of the legal profession, whose advocacy of this and other measures of law reform, appears to us, equally enlightened and disinterested. Speaking of the Law of the Court he refers to the Report, and quotes the following instances of law and equity at variance; e. g. "where the same agreement in equity is construed as a lease conferring a property in the thing intended to be leased or conveyed, while at law it is regarded as conferring no property, but merely as an agreement to execute a conveyance; so again the case of a power to a person having a limited and specified interest, to create a new interest; which, according to law, must be literally executed; while equity, regarding the intention and interest rather than the letter, will support an execution which at law would be invalid. The decree (of the proposed Court) in such cases is to be an equitable one. The new Court therefore is not a Court of Common Law in the proper sense, as contradistinguished from a Court of Equity, but the rules of law called equity are to be its rules whenever they apply to the proper subjects of its jurisdiction."

Thus far as to administering law according to *equity;* and good so far as it goes; but the Commissioners designed more and better: that the law should be administered according to equity *and good conscience* also: refering to this principle, the same learned gentleman carries on the exposition in the following manner:—

"Nor is this all; its decrees are to be not only agreeable to equity in this sense, but agreeable to equity *and good conscience:* the Commissioners have themselves elaborately explained what they mean by good conscience: and, in few words, I understand it to be this, viz., that where the court plainly sees that substantial justice has been decreed, or can be decreed, such decree shall stand or be given as being agreeable to good conscience, though some technical, formal, adjective rule may perhaps be violated. And cases are cited in the Report, where such a state of things happens: as, for example, if a plaintiff sues in a wrong form of action and recovers upon an investigation of the merits: the verdict shall stand, because good conscience is to prevail, and it would not be agreeable to good conscience to give effect to such an objection. This principle was introduced into the law by Lord Mansfield, but I rather think it is no longer acted upon. As, however, by "good conscience," an expression derived from Whitelock, is meant "the conscience of the public laws," a reference to it will rarely be

* The proposed New Courts of subordinate jurisdiction. A Paper read by William Theobald, Esq. before the Bengal British India Society, on Dec. 16, 1844. *Reprinted from the Bengal Hurkaru.*

necessary for the purpose for which it is here inserted, in a Court whose procedure has no tendency to violate that conscience, but, contrariwise, is specially devised as means to an end, the end being to give effect to that conscience: whereas in Courts where the public conscience of the laws is so often jeopardized by the process, the principle implied in this expression would be of the first importance. For example, in every Court with which I am acquainted, in the Supreme Court perhaps in a very great degree, it is constantly happening that though the merits are before the Court, the Court cannot do what is right, cannot act according to the "public conscience of the laws," in consequence of the state of the pleadings; it has no power to amend the pleadings; in such a Court, this principle is much needed; but then it would be dangerous; and the necessity for it would cease if its procedure were altered."

Fourthly, the proposed Court is distinguished by the method it is to employ for bringing causes under its cognizance: and the same procedure is to be applied to large causes and to small ones. In the Supreme Court, the first step is to file a plaint, which is a formal and technical statement, founded on certain arbitrary distinctions called forms of action; and then to sue out a writ. To the natives of India especially, these writs and plaints must be utterly unintelligible; and from that circumstance liable to be abused, as in fact we believe often happens, to the purposes of extortion and oppression. In suits between natives resident within the local limits of a Court, and therefore capable of giving a personal attendance there can be no good reason for continuing them. Accordingly in the proposed Court, the plaintiff, with his legal advisers if he pleases, or in specified cases, his legal agent without him, goes directly to the judge, and states his causes of action: and the judge orders a summons if he finds any cause for inquiry and a case within his jurisdiction. We are now describing the *parent* draft, not the present one. Mr. Theobald, in the paper already quoted, warmly defends this mode of proceeding:

"This proposed practice of going before the judge in the first instance, I regard as a most important and valuable privilege, though it also of necessity wears the aspect of an obligation. It is the mode of proceeding in all criminal cases; in all cases in which the public is interested as well as individuals. In every penal procedure the first step is for the complainant to appear before the Magistrate, and no one doubts such a course to be the proper one."

At a time when the trading classes—(we refer to England), —are reckoning claims which require enforcement by annual millions, and complaining of them as more burdensome than taxation: and no prudence it appears can very materially diminish the amount of them; this analogy of criminal proceedings appears to us well worth considering. To offences so small that the magistrate may dispense with the penalties

of the law and give a mere reprimand; and to offences requiring the most condign punishment, the procedure or mode of investigation applied is the same in all cases at the commencement; and no innovator has yet been found to impugn the *uniformity* of proceeding; or to propose in the cases of a more serious kind to substitute complex and written forms. Any such change, could it be effected, would pro tanto establish a distinction in favor of great crimes; and they would of course increase in proportion as the method of procedure became more dilatory and less efficient; so irrecoverable debts and civil litigation have increased through the vices of our old legal system. The merit of the new Court as originally proposed is, that it applies the same procedure to small and large claims; giving the former the advantage of being decided by judges of competent learning, and both at as little expence of money, time and trouble as is practicable. We cannot forbear from here making another quotation:—

"How welcome, then, ought the establishment of such a Court as this to be, to a community which understands its own interests. Here you get rid at once of all the rubbish of forms of action and numerous evil consequences which it would be out of place here to detail; and *that*, at very little cost of a small amount of personal trouble, the consideration of which ought not to weigh for a moment. How welcome, undoubtedly, will it be to the Judges of the Court, imposing upon them no additional or unnecessary trouble, and relieving them from the daily audience which the Judges of the Common law Courts both here and in England are obliged to give to every sort of quirk and quibble, to the most little, contemptible, pettifogging objections, perhaps to the form of a writ, perhaps to the copy of it, on account perhaps of a mispelling, though the copy gives all the information contained in the original; perhaps to the manner of its service, though the object was attained, viz. its reaching the defendant; perhaps to the declaration, for want of a date, though no consequences ensue upon the omission, or for want of conformity to some rule of Court, a fruitful source of this sort of bye play and chicane in which justice is degraded, and the interests of the suitor forgotten. From all this, the Judge of the new Court will be relieved, and he will have the satisfaction of having the matter and substance of the dispute at once before him. And, what, let me ask, ought the merchants of this city, native and European, who come into this Court with clean hands and honest and clear and strong convictions to say, to being able to go to the Judge in the first instance, and tender to him a written, or make a verbal, statement. The trouble would be a small price to pay in any case, and, every now and then, it would save an infinity of social evil. Let us put an example; the official assignee, say, has goods of an insolvent estate claimed by a merchant; the merchant goes to the Judge, and, upon a brief statement, gets a summons; at an early day, Mr. O'Dowda and the merchant appear before the Judge, and state their rival pretensions. Both parties wishing only what is right, at once come to the facts on which the right depends, and with little delay, no great expence, and no ill feelings being engendered, a decree is passed, with or without, as the case may be, an intermediate trial. The merchant may take with him his attorney or his

counsel, and, no doubt, the Judge will welcome their assistance, but they will appear before him as aids, and be under that check which is due to the majesty of the law, to the solemn presence of justice, if their purpose is to raise a mere bye play of chicane, and to obstruct investigation. Such a mode of procedure cannot but work a most salutary change on the habits of suitors and of the profession. The cases in which the bill under consideration proposes to exempt parties, plaintiffs and defendants, from personal attendance shew that the commissioners are desirous to pay a just regard to considerations of personal convenience; and therefore these exemptions can be increased if thought desirable on discussion: all these matters of detail are open to alteration, to amendment; but the principle is clear and essential, that every suitor shall have access to the judge at the very first step of his action."

2.—*The new draft now before the Legislative Council.*

We have sufficiently noticed the characteristic traits of the original *parent* act to introduce the degenerate offspring, as we regard that before us; the fruit, in fact, of a compromise,—the high contracting parties being the legislative Member of Council and head of the now trunkless Law Commission, and the Chief Justice who had obstructed this subject of legislation. By what arguments the Law Commissioner has been prevailed on to accept a small measure in lieu of a great one; to exchange a scientific for a technical one,—may easily be imagined. The reasoning seems plausible:—"My dear friend Mr. Cameron, the arm of justice, has been for these ten years bound up by my Court to a most unfortunate degree, and I am distressed to think of it: the *Calcutta Review*, you see, has taken up the subject, and will be sure to pass a severe censure on some one; on whom there is no possibility of telling. Even, you, the greatest law reformer of the day, may come in for a share of it. When the subject was first mooted, you know, Lord Auckland, a whig, was Governor-General, and Mr. Amos, head of the Law Commission and a Member of Council: they began to be ashamed and chagrined at having effected nothing; and if the same order of things had lasted, you would have had your own way, especially when your very able Report appeared; but Lord Ellenborough, you know, came, and to shew his contempt for the Law Commission, though it originated with his friend Lord Chancellor Brougham, dispensed with Mr. Amos's attendance in Council, and referred this subject *to me* who was but Advocate General. Your presence in Council also as Mr. Amos's successor was scarcely more acceptable. At present, indeed, we have a different sort of man in Lord Hardinge, who, probably, would adopt your opinions, if on no other, on the constitutional ground, that the Law Commission was specially appointed under the charter act to advise the Supreme Government;

certainly he would not commit the awkward and absurd *passe droit* of consulting the Advocate General in preference; but then, you know he has not had time even to have the subject submitted to him. The political critic, however, attaches little or no weight to such considerations and rather than nothing should be done, especially considering that you are soon going out of Council, that there is no longer a Law Commission, and no one for your mantle to descend upon,—you will be wise to accept my support and assistance, and I am ready to withdraw my opposition."

As when day looks upon night at the verge of the western horizon, and would fain leave some streaks of illumination; so Mr. Cameron, we may presume, adopts the proposal; and hence the new act in Council, in which indeed the blank in the administration of justice is filled up, but the great principles of the Law Commissioners are not carried out.

We now proceed to particularize the provisions of the new draft act of which we have just described the origin. First, it abolishes the existing Court of Requests, and then establishes a new Court of Subordinate Civil Jurisdiction: to consist of as many Commissioners as to the Governor of Bengal shall from time to time seem meet, and who, we presume, but the act does not say so, is to have the *patronage* or right to appoint them, as also to appoint the necessary officers for the Court (which is mentioned), but all salaries are to be fixed by the Governor-General in Council. The Act then gives the Court its jurisdiction: which is to be limited (1) *territorially* to the City of Calcutta; (2) as it respects *causes* generally, to those for which an action at law may be maintained; and (3) as it respects *amount*, to Rupees 1,000 (£100) debt, damages or value except in actions for the recovery of land or other property for which an ejectment may be maintained in the Supreme Court, and then to the value of rupees 200 (£20) per annum; and for malicious arrests, malicious holding to bail, or other malicious prosecutions, libel, slander, assault, battery or false imprisonment, rupees 300 (£30). Against this limit, having regard merely to value, we shall here record our respectful but earnest protest—as (1) an abandonment of the principles laid down in the Report of the Law Commissioners, and unanimously sanctioned by those gentlemen: (2) as an expedient for the new Court, whatever it may have been for the old, since the new Court is to be constituted of professional judges as well as laymen, on the plan recommended by the Law Commissioners with the very view of making it juridically competent to exercise an unlimited jurisdiction: and, moreover, the act

allows what is in effect an appeal to the Supreme Court, by entitling the Suitors to move in that Court, for new trials, new hearings, reversals, &c.—(3) as arbitrary; that is, it is a special limit, founded on no special reasons, and following no intelligible or assignable criterion: and hence, it is inconsistent and zigzag, here turning off at a straw, there overleaping a camel; following neither rule of thumb nor of three, nor of any proportion; for, by no legal or scientific considerations can it be shewn, that in any one respect the causes of action of the respective value of Rs. 200 (£20) per annum, Rs. 300 (£30) and Rs. 1,000 (£100) are equipollent or equivalent; while on the other hand it is palpably clear that causes of the largest amount may be neither more nor less difficult to decide than these, because the larger constantly involve only the same questions as the smaller ones:—(4) as unjust, for it drives suitors whose cases, though of larger amount, are undistinguishable from those within the jurisdiction, to another court, for no respectable or tenable reason;—and (5), in this respect the act is inconsistent; for by another clause, now to be mentioned, claimants may sue in the Subordinate Court to any amount, if they will sacrifice the excess of their rights beyond the limit of jurisdiction: which is, in effect, treating the court as omni-competent and yet not worthy of confidence: much the way in which we treat persons of small wits or just recovering their reason: the sword of justice is a sharp instrument with which it is dangerous to trust them; they may cross the boundary, but with a strait waistcoat on.

We have described the jurisdiction of the Court as extending generally only to common law subjects, according to the usual technical division: but the jurisdiction is also to extend to the following subjects of equity jurisdiction; viz. the recovery of the unliquidated balance of a partnership account; the distributive share of an intestate's property; a legacy; and residuary share under a will: but still, under an arbitrary limit as to *value*: that is only to Rs. 500 (£50) if the claimant shall be content to limit his claim to that sum. Against any merely arbitrary limit having regard only to value, we have already stated our objections; but at all events the limit in these cases is unjustly low, with reference to the reason for assigning to the Court any equitable jurisdiction at all, if, as we presume, the expensiveness of an equity suit in the Supreme Court, be the reason: and we may observe that Mr. Amos has recorded his opinion, that in this point of view, and with reference to common law

subjects, the subordinate court should have jurisdiction to the extent of Rs. 5000 (£500); *â fortiori* ought the limit not to be short of this, on subjects of equity jurisdiction. Nor are partnership accounts and legacies the only subjects of equity law, on which Supreme Court costs are an effectual bar, and make a total failure of justice at present: why then, to be consistent with reason and principle, is not the equity jurisdiction of this Court made general, as to all these subjects, under the same limit as the general common law jurisdiction? It is a selection of two subjects out of two thousand: many of which are of just as common occurence as those mentioned. "Better two than none:"—but, better still principle and system: and we prefer the original plan of giving the Court an unlimited but exclusively Common Law jurisdiction, postponing equity altogether until the procedure of the Court should be matured and the professional Judges be *au fait* in the system.

Next, as to the *Law* of the Court: we have noticed the peculiar, well cast phrase, by which the Commissioners originally applied equity law to subjects of common law jurisdiction, on which common law and equity are at variance; and the objection to this phrase, we apprehend, became a mere logomachy not worth contending for, from the moment when it appeared. It was made under a misapprehension of meaning; but it has been persisted in; yet probably not with the intention of making anything more than an alteration of phrase or verbal alteration: we however deem more has been done, and the effect of the rejected is widely different from that of the substituted one—First, between the rejected and the substituted phrase there is all the difference between a technical and a scientific form of expression:—the technical and substituted one not having usage to support it, which might be admitted to be a ground of preference;—but secondly, it appears to us there is an essential difference between the two, consisting in this; that the rejected phrase made *equity* the *law* of the *Court*; whereas, the substituted phrase merely gives it as a *privilege* to the *defendant* which he may use or not; and it becomes the law of the Court only when the defendant sets it up by way of defence, exception or limitation. The substituted expression has therefore the effect, as appears to us, of establishing inconsistent rights in the same Court, making the final prevalence of *the* right or the wrong, to depend on accident; and at the same time of preserving a conflict of jurisdictions: and accordingly when a plaintiff in the Subordinate Court gets a judgment, the defendant may get an injunction in the Supreme Court, whose jurisdiction

is expressly reserved; and moreover,—as we should have remarked before, but we fear to crowd our argument with too many details,—the last three lines of the clause which empowers defendants to set up an equitable defence, expressly provides that "such defence shall not involve a cross demand exceeding rupees 1,000;" and thus it appears, the more valuable equitable rights are to be absolutely impotent in the Subordinate Court; and notwithstanding the existence of such rights, the subordinate Court cannot recognize them, but must decree *wrong*, that is, must make a decree for the common law rights, which, by the very supposition, may be restrained by an injunction in Equity, in the Supreme Court.*

When we come next to the *procedure* of the Court, we are sensible that we are approaching matter too purely technical for our columns; yet it is of the highest importance; for as the law of the Subordinate Court is to be that of the Supreme Court, it follows that in procedure lies the essential difference between them. The learned Gentleman whom we have already quoted, after illustrating the proposed procedure by examples, passes on it the following eulogium—"it is simple yet searching and effective, and to do justice there needs on the part of the judge but thinking right and meaning well if he has any previous scientific training." We demur not to this praise: the same competent judge, however, observes that the Commissioners have called their method of eliciting the questions for decision,—"oral pleading," and have subjected it to some of the technical rules of special pleading; which, he thinks, are no more needed for a good judge than a strait

* The different expressions alluded to in the above discussion are as under:—

Temporary Act.	*First and Revised Edition of Commissioner's Act.*	*Substituted Clause in present Act.*
And it is enacted that every judge of the Supreme Court holding such Court, &c. shall in every case make such a decree as may be agreeable to equity and good conscience, following such law as the said Supreme Court would have administered if the matter had been brought before it in an action at law.	*S. VI.*—And it is enacted that the said subordinate Civil Court shall in every case make such decrees as may be agreeable to equity and good conscience, following such law as the Supreme Court would have administered if the matter had been brought before it in an action at law.	*S. IX.*—And it is enacted that the said Court shall on all purely legal demands for which an action at law is maintainable decide according to the law to be administered in the Supreme Court, in the like cases between the like parties; provided that the defendant may in any action for such legal demand allege and, establish an equitable defence and thereupon the said Court shall by its decree give the defendants the benefit of such defence to the same extent and upon the same principles of equity as would be applied in the like case by the said Supreme Court on its equity side; provided that such defence shall not involve a cross demand to an extent exceeding the sum of one thousand Company's Rupees.

waistcoat for a sane man: and then with evident satisfaction he refers to Mr. Mill's denunciation of special pleading as "a mischievous mess which exists in defiance and mockery of reason;" and we may now add a reference to our own recorded opinions.* In every case the Court ought to have a power of deciding summarily; that is, whenever all the facts are before it, though not in the technical form of pleading; pleading and other strict forms being mere *means*, should be dispensed with, when the *end* can better be attained without them, or better be attained by other means: and if it is said that rarely can be the case, we beg to deny it, as contrary to experience, to precedent, and to the practice of those Courts which do employ special pleading; because more than half the questions in dispute are decided without pleadings, and different kinds of Courts have widely different modes of investigation and trial: and hence we venture to assert, that the imposition of strict rules of prestatement is not warranted by any enlarged view of the means and ends of justice; that a system of pleading may be often applied with advantage we do not deny; it should be given to the judge as one of his instruments: but there are others, and as we said before, "the only fixed and invariable rule which we would lay down is, that when the judge comes to decide, he shall state what issues or facts he finds: and doing this,—these findings will, as we apprehend, contain all that the parties rightly advised ought to have pleaded or put in issue, and therefore will afford the same security against misdecision as is sought for in written or oral prestatements."

A few isolated provisions not yet noticed, deserve, as being peculiar, to be mentioned; thus, if a plaintiff sues for damages for breach of an agreement, and the Court thinks the contract may be performed without prejudice to the plaintiff: it may direct a specific performance, and *that* apparently unasked by the defendant. We neither deny nor assert that this is an expedient provision; but it is remarkable, that while it gives the Court the power incidentally, to decree specific performance, no power is given to the Court to entertain a suit directly for specific performance.

Another remarkable provision is, that the Court shall decree what portion of the costs incurred for professional assistance shall be allowed against the adverse party: which appears to us open to this very formidable objection, that it gives the Court too much direct power over the attornies and counsel, and enables it to punish the suitors for employing particular in-

* *Calcutta Review*, Art. vi. Indian Law Reform, Vol. vi. p. 41.

dividuals: and so, it tends to discourage the most valuable quality of the advocate, intellectual independence, and converts intrepidity for a client into a cause of professional martyrdom.

There is a clause also taxing for the support of the Court those parties who have been guilty of "inconsiderate litigation;"—*plaintiffs*, to the amount of one twentieth of the sum wrongfully claimed; and *defendants*, in the same proportion: but the Court may remit the tax if it is satisfied the parties had reasonable ground for suing or defending. By another clause the Court is empowered to impose a fine of not exceeding Rs. 200 (£20) upon any party to a suit, who by himself or his Agent has wilfully made a false statement. The act contains no provision for summary decisions, that is, decisions at any stage of the proceedings, e. g., immediately upon appearance to the summons, if all the facts are then elicited, without the form of oral pleadings: our readers will pardon an illustration: *e. g.* a durwan claims a month's wages; half the cases of the Court, like this, are best decided on the instant: if the durwan has to come to the Court, first for the summons, a second time for the judge to hear his case and prepare the "pleadings," and a third time to prove his case or have a decision; the Court instead of being an improvement will be a nuisance. And the power to decide summarily should be general, that is, it should apply to large cases as well as to small ones: for example, the holder of a Bill of Exchange for Rs. 1,000 summons a person who is not a party to it: he appears, and that is his defence:* why should the judge not be permitted at once to tell the claimant, that the Law of England as to Bills is the law merchant, and that by the custom of merchants a person not a party to a bill, either by himself or his agent, cannot be made to pay it. If the plaintiff cannot carry his case any further, or his additional facts are still insufficient; *cui bono* more ado: the judge should decide the matter at once: to impose further forms upon him is to carry on a sham fight, a fight of mere forms; in which, however, justice may get wounded, for in the unnecessary use of Law forms, as in swords, there is always danger.

The reader is already informed that the original plan of the Commissioners included a general Court of appeal, which

* This case actually happened recently in the Supreme Court; and the simple rule of the law merchant was applied at an expence of rupees 2,000 (£200), when if the parties had gone before the judge, made their statements to him; produced the bill; he would on inspection of it have said, "the defendant is no party to it, how do you make out his liability," and thus he would have decided it on the instant, and the costs would have been one-tenth of that sum.

incidentally we may mention, they proposed to call a "College of Justice," to consist of the Judges of the Supreme Court, and Judges of the Sudder Dewany Adalut: the latter being profoundly conversant with the Hindu and Mahommedan law and native manners and customs; but generally unacquainted with English Law; while the acquirements and qualifications of their proposed colleagues were exactly the converse; this combination therefore appeared well adapted to its object, especially, as subordinate Courts, though first to be established only in the Presidency towns, were intended to be planted in all the large towns, in short, all over India. We can conceive that so large an institution, with so new a name, would, in the bureau of the Home Department, be regarded with disfavour, as disproportionate, until the subordinate Courts were multiplied; this objection, however, being really of a temporary nature, might have been fairly met, without injury to the principle, of establishing one common court of appeal, to which every kind of law would in the person of some one or more of its members, be more or less familiar. The altered plan however of the subordinate Court has superseded the proposed Court of Appeal, and the *appeal* from the subordinate Court in its altered form, is to be to the SUPREME COURT, or to any one Judge of that Court. An appeal is allowed in all cases, small as well as large ones: and without any limitation as to grounds of appeal: but there is this very important difference between the original plan and the present one, that on the former, the appeal in cases decided before the non-professional judges, for sums not exceeding Rupees 400, was to be to the Chief Commissioner, a Barrister: leaving only the cases above Rupees 400 for the College of Justice: but by the present Act the appeal is in all cases to the Supreme Court Judges: this alteration, in effect, we apprehend, makes the right nugatory: and thereby contravenes the principles of the Report of the Commissioners. If it is just and right that no appeal should be allowed in cases under rupees 400, let it be enacted so, and the appeal be put under that limitation; but, if the contrary is right, let, as was originally done, an appeal be given, of which the suitors can avail themselves; we cannot see why the original plan should not be adhered to. We cannot doubt that the Law Commissioners intended to regulate the right of appeal in the *Act* creating the Court of Appeal or College of Justice: but the right to appeal to the Supreme Court is put under no restrictions whatever; it is limited neither as to time, nor as to grounds: nor is it put under any conditions whatever. Errors are of various kinds: we

shall not deny that an opportunity ought to be given to obtain a correction of every error: but we do seriously deny that the same appeal is proper for all errors. In most cases too we apprehend, that the right to appeal ought to be exercised under a regulated control on the part of the Court appealed from: but here, the appeal is to be by *motion* in the Supreme Court for rule to shew cause, and that of course upon affidavits, which also of course will be framed of the length and fashion which suit the Supreme Court lawyers. Experience has given ample warning, and with more than the significancy of the head of friar Bacon; and to prevent the abuse of which it cannot but raise apprehensions, the legislature should define, if the proceeding is by motion, what *materials* the appellant may move upon.

When the appeal is before the Court, by what law is the Court to decide it? We should say by the law of the subordinate Court, which consists, as it respects *procedure*, of its own rules and orders, and as it respects *substantive law*, *the* law laid down in the Act for its guidance: this we apprehend would by implication be the law on appeals, and is in fact the law prescribed, unnecessarily as we conceive, in the original Act of the Commissioners: but in the present act, a rider is added of seven lines to the Commissioners' five lines, and the consequence is a perfect legal riddle as to what law is to govern appeals.*

We refer our readers to the note below for the words of the enactment, and will offer a few remarks in a logical rather than a legal point of view, on its style and construction, that our readers may judge whether it is a tolerable piece of law-making. The rudest judge of style and thought cannot fail to perceive the duality of its origin: it consists of two sentences with a "that is," which commonly introduces an explanation, between them, but here it only announces a division, and instead of being conjunctive, puts the representatives of two different parties and creeds in hostile position. In the one we see the mind scientific, philosophical, much habituated to general forms of expression and perhaps over-confident of

* The clause animadverted upon is as follows; the part in italics is the clause of the Commissioners; the rest, not in italics, is what has been added:

XXXII.—"*It is hereby enacted that the Supreme Court shall not make absolute any such rule if the decree of the subordinate Civil Court be consistent with the justice, conscience and equity of the case*: that is to say, the Supreme Court shall be governed in its decision upon any motion to make any such rule absolute by the principles by which an English Court of Law would be governed in its decision upon a motion to make absolute a rule for a new trial, when there has been no misdirection in point of law by the judge before whom the cause was tried."

them; in the other the mind (we are speaking of it as that of a class and not of any peculiar individual) merely practical and technical, which in general forms sees foreshadowed the ghost of codification: and therefore is prejudiced against the compass, force, and beauty of them, and utterly at a loss with them, yet, (of which the statute book affords many instances) venturing to alter and put in explanations of them. Now let us apply these observations. The one having provided that the Subordinate Court should be guided, by "equity and good conscience following the law," directs the Court of appeal not to disturb its decrees, "if they are consistent with the justice equity and good conscience of the case:" the law of the Subordinate Court is thus clearly made, as it ought to be, the law of the Court of Appeal, and as, by implication, it would be, if there were no direction at all on the subject: the direction therefore is legally just, and logically accurate, and only unnecessary. But, next, we come to the sentence following the "that is," which, as being meant to explain, ought to be clear of itself, and clearer than what precedes it: but is on the contrary densely obscure: so that, certainly no ordinary vision, and we should say only a very strong *legal* vision, can possibly pierce to its meaning. But suppose it explained, and to contain a rule, it is not a rule of general application: or as a general rule is clearly subject to the *reductio ad absurdum:* for instance, the rule is, that all appeals shall be decided, as the Courts decide motions for new trials where there has been "*no misdirection in point of law;*" instead of the words italicized, substitute the equivalent words "error of law;" we have then this rule, viz. that appeals brought on the ground of error of law shall be decided as motions in England are, in cases in which there has been no error of law.* But again,' "misdirection" is only a particular kind of error, and, as the rules relating to it are not general, that is, do not govern in all other kinds of error, they cannot become *general* rules by merely making a voyage to India, or to make them general, is a legislative absurdity. Finally then, seeing upon a strict but fair critical comparason, how much for the worse are all the proposed changes, we may still be permitted to hope for the establish-

* Here is an illustration.—A tradesman has recovered a decree for the amount of his bill, though the defendant pleaded *payment*, and in proof of payment put in a paper, which he called a receipt: but the judge ruled it to be no such thing, and no proof of payment. The defendant appeals on the ground of misdirection, for that the judge ought not to have taken it upon himself to decide the effect of the instrument, and that his decision was wrong as to the effect of it. Now by the above rule, the Court of Appeal must decide as if there was no misdirection, that is, must decide contrary to the law, and without regard to the real truth of the case.

ment of the original plan of the Law Commissioners, and we cannot do better than lay before our readers in conclusion the passage from the report, in which they have themselves cogently represented its advantages, and met some objections to it :—

"We ourselves feel perfectly confident of the success of our experiment, but confidence of the success of such an experiment cannot be attained without long and careful reflection; the public therefore cannot be expected fully to share it.

But proceeding as we propose by steps, all that can be imagined to be put to hazard by failure, is of trifling value compared with the benefits to be obtained by success.

For suppose that, as we expect and intend, the Suitors at Law should be drawn away from the Supreme Court by the greater cheapness and simplicity of the new procedure, and the facility of examining the adversary; and suppose further that contrary to our expectations, the new Judicature, Original and Appellate, should not appear to those who may watch its operation with a view to the interests of justice, to be a powerful instrument for the discovery of truth and for the correct application of the Rules of Substantive law, then the whole of that large portion of equity which is not consequent upon a Suit at Law, would remain untouched, and if ever reformed at all, would be reformed in some other way. The whole machinery would be left standing, and the portion of Equity and of Law drawn away by our new Court, would revert to its original condition.

On the other hand if the experiment should, as we venture to foretell, be completely successful, the Government could then proceed with the greatest confidence to provide that the new Court should entertain all Suits in equity, whether based upon previous proceedings at Law or not.

In like manner and for the same reason, (viz. the doubt which may be felt by the reflecting portion of the public as to the success of our experiment) we do not recommend the abolition of the Common Law jurisdiction of the Supreme Court. We believe that such a measure might be unpopular, and we think that our object may be attained in a gentler way, and without shocking any prejudices, by allowing the two systems to subsist together. We do not even intend to protect the jurisdiction of the new Court by enacting that no one who sues at Law in the Supreme Court shall recover costs.

If this plan is adopted there will be two roads open at once by which the suitors of the presidencies may obtain the great benefit of having the profound learning of the Judges of the Supreme Court applied to their affairs.

To disentangle transactions which the ignorance, negligence, and fraud of mankind have complicated, and to refer each essential part of the transaction to the principles of Law or Jurisprudence which ought to govern it, must always be the subject matter of a science and an art. It is vain to expect that this science and this art can be fully mastered without long and arduous discipline. That discipline the Judges of the Supreme Court have gone through, and it is because of the high value we set upon their science and art, that we are so anxious effectually to open the advantages of them to the public.

When these two roads are open at the same time it will be very instructive to observe what sort of causes are carried by the new road and what sort by the old. Our own belief is that in no long time it will become disreputable to sue at Law in the Supreme Court. It will soon be understood that a plaintiff who prefers bringing his action there, is a man who is afraid of being personally examined as to the truth of his case, a man who shuns equity and good conscience, a man who wishes to entangle his adversary in the meshes of written special pleadings and to have his cause decided upon some point foreign to the merits of it.

In this state of things we of course expect that the Common Law jurisdiction of the Supreme Court will wither away in the presence of its rival, and that the Legislature will shortly be able to abolish it without exciting alarm or regret."

The Acts relating to the Supreme Court.—The second Act mentioned at the head of this article, has the merit of being adapted, as far as it goes, to effect what it professes, an improvement in the practice and law of the Supreme Court in Calcutta. A rapid and brief notice of the heads of this piece of legislation may be acceptable to our readers. It begins by altering the mode of proceeding in case of the non-appearance of the defendant, after actual service of a writ of summons: and allows the plaintiff to proceed as at present he may and does, when a defendant has appeared to the writ, *but made no defence to the action*: the two cases being alike, this measure is good so far as it assimilates the practice in relation to them; but why on assimilating the practice thus far, it still preserves to the plaintiff in the one case what he has not in the other, viz. the writ of sequestration as under the Charter the object of which was to compel an appearance, or to entitle the plaintiff at *some future* time to proceed to judgment, we can not imagine. Next we have clauses for enlarging the operation of writs of execution on the common law side of the Court, by adopting the recent legislation respecting the analogous writs in England: and undoubtedly if the writs given by the Charter had only the very limited operation of writs of *fieri facias* in England, the benefit would be a large one: but that is not the case; under the existing writs nearly all kinds of *legal* assets can be taken in execution: consequently, we have here in reality a little useful reform and a great deal of padding, which makes the little measure look a great one. There are clauses also for abolishing arrest on mesne process, except in certain cases and under the precautions established in England: but the exceptions are more numerous than are allowed in England; and one particularly deserves to be mentioned, that of a defendant evading the process of the Court: under colour of this exception, especially in actions

against natives, arrests we apprehend may become general. —Several clauses are transposed from Lord Brougham's Law Amendment Act, with some improvements: and then follow, a collection of clauses which eminently deserve our praise as to their object and intention, but we may not add as to their reduction: they place under the common law jurisdiction various equitable rights or rights of exclusively equitable cognizance at present, and thus substitute a less expensive, a less complicated and a less dilatory remedy than the present. This is effected in two ways: in some of the cases, the equitable right is declared a legal one: in other the equitable right, is simply placed under the common law jurisdiction. To the right of discovery as exercised by Bill of discovery at present, it is proposed to superadd the alternative of giving the discovery by a *viva voce examination*: but the right to examination viva voce is clogged with a preliminary proceeding;—a rule to shew cause: we should think that upon a mere prima facie or ex parte statement, a plaintiff should be ordered to attend to be examined, without prejudice of course to any objections he might legally take to any questions proposed, or to the propriety of his being at all examined. Ten years hence the legal mind will be sufficiently advanced to give us this reform, and in ten years more to give us the examination of plaintiff and defendant without previous conditions. Still another collection of clauses follows, which are entitled to our unqualified praise as to their object and intention: it is to take off the heavy drag of an equity suit in certain cases and to substitute the more summary mode of notice petition and motion: a very high estimate must be made of the value of this reform, if the apprehension and alarm which it has raised in the profession are to be taken as the criterion: but we regard this effect, simply as that of common daylight on persons who have long been confined to a dark room: and happy on the public account are we to believe that Her Majesty has not a more strong sighted class of subjects, nor a class to whom good laws will eventually be more welcome, if the legislature will do its duty and assign to their great administrative talents a good in the place of a bad system. One clause gives a court of equity the novel power of assessing damages on Bills for the specific performance of an agreement. This we regard as a wise and salutary provision: but it is also this—an authority to the Court to award one thing when the plaintiff has instituted his suit for a different thing: the possibility of which was urged by our learned Chief Justice Sir Lawrence Peel as a strong

objection to some of Sir Erskine Perry's proposed law reforms: in this instance therefore we have another striking illustration, of the unsound, visionary, evanescent nature of some of the most strongly urged objections to law reform; and of the value of free discussion, which, if it does not instantly disperse the phantoms, makes their champions first ashamed of, and then desert them. The crowning measure of this miscellaneous act still remains to be mentioned: at one sweep, the taking of evidence by written deposition before the examiner of the Court is abolished, and the viva voce examination of witnesses in open Court substituted for it, in all suits and on all sides of the Court. There is a provision also making all the assets of deceased persons equitable assets, and directing the administration of estates accordingly.

The third Act mentioned at the head of this article, and described as, for facilitating the execution of the process of the Supreme Court without the local limits of its jurisdiction at once removes a defect which ought not to have been suffered to remain so long, and confirms and gives vitality to a branch of jurisdiction which ought never to have existed, and to which that defect has happily opposed a check: we, therefore, regard the act with only partial satisfaction. The defect alluded to is, the absolute impotency—(for such in many cases it is) of the Supreme Court to get its process executed, in consequence of its having only its own local officers and being isolated from all other public funtionaries of all kinds in all departments throughout India: and yet its judicial authority extends to the extremity of the Bengal and Agra Presidencies. If the Sheriff of Middlesex, as the officer of the Queen's Courts at Westminster, had to send a special bailiff to the Lands' end, every time he has a writ, the case would only be like, but not parallel: for, tens of miles in England are hundreds in India, and distance is aggravated by inconveniences and difficulties, of which only those who have encountered them have any idea. Now, so far as the Court has a just and legitimate jurisdiction, it ought not to be in such a predicament: and not the Court, but rather the public suffer, e. g. a creditor resolved to recover a debt, has gone to the expense of filing a plaint, which has cost him probably upwards of rupees 100 (£10) and a writ is issued; but he is then told that the defendant being at Benares, (or as the case may be) Cawnpore, Agra, Delhi, Meerut, Ferozepore, &c. it can not be executed, unless he will make an advance to the Sheriff of expences: the tradesman therefore finds his suit abortive except of costs: and the Court's juris-

diction is regarded as nugatory; the case supposed is one in which the jurisdiction is legitimate; as it is, over all "British subjects," throughout the length and breadth of the two Presidencies. This jurisdiction it has by gift of the Legislature; but it also exercises a jurisdiction which it has acquired only by the contrivances of professional cupidity, and by fictions resting on violent constructions of the Charter: we allude to the jurisdiction which the Supreme Court exercises over the natives of India out of Calcutta: and on behalf of them, from the banks of the Sutlej to the Mahratta ditch, we protest against it, not only as usurpative, but as pregnant with abuses, and inevitably oppressive wherever it is exercised. Moreover it is unnecessary; for, in every province in every Presidency, there is a Court in which justice may be obtained; and though it is said, and truly we fear, of the Mofussil Courts, that bribery, perjury, subornation of perjury, false personations and fraud of every kind are rampant there; yet, all these and more are the mere incidents of the barbarism and consequent corruptness of the suitors, and the natives of India generally. But nothing, we believe, is gained for truth or justice, by transferring these villanies of the race, to the scene of the Master's or the Prothonotory's office, or to the witness box, even in the presence of the Judges: but rather the contrary; for in all these places, the sagacious native cannot fail to feel, and the more vividly the greater the rogue he is, a degree of security, independence and superiority, seeing, that necessarily he is permitted to use his own language, and that the judges and its officers (which is not the case in the Mofussil) except the one interpreter, are utter strangers to it. The pestilence which springs from the Terai does not lose its poison by coming into the city: the marble conduit does not purify muddy waters; but it may take a stain, and become itself muddy: and so, neither the Court nor the natives can be improved by removing their quarrels from Benares to Calcutta. In conclusion, therefore, we would entirely except from the act under consideration, all process of the Supreme Court against the natives of India not being actual inhabitants of Calcutta. What the act proposes is, to make the Judges, Magistrates, and Justices of the peace in the East India Company's Service, agents for executing Supreme Court Process: this it does, but in a very awkward manner.

In the preceding comments we have written freely both of men and measures; determined to use, and set the example of using, this dear bought, blood bought, privilege of English-

men, equally their privilege, whether living under their own free constitution, or living as we do here, under an experiment, of which it is difficult to say what is the principle: it is British, it was Grecian; and we may well be proud of it, consecrated, as it is, by the verse of Euripides and Milton, and cherished in the affections of all good men :—

> "This is true liberty, when free born men,
> Having to advise the public may speak free;
> Which he who can, and will, deserves high praise;
> Who neither can, nor will, may hold his peace:
> What can be juster in a state than this."

That we have used this liberty sincerely as it respects the opinions expressed, bear witness our own conscience! for disinterested purposes, gainsay it who can! for the public good, ye citizens of Calcutta, be our witnesses, for you know what is the state of the law, and of the local administration of justice. And, if we owe to general readers some apology for the abstruse nature of our arguments, we trust they will bear in mind that it is difficult to avoid being occasionally obscure, in contending in detail against a system which has degraded what ought to be a science to a craft and mystery. From this condition, it is our aim to raise the law and to place it in the proper rank and in just estimation: the success of our labours will be to mankind the triumph of truth and justice, the dawn of a new and better order of things, like light springing out of darkness. If in the prosecution of this grand design, we be found to write strongly, and strong writing be objected to, we confidently appeal to the candid, the sober and the just, to say, whether the strength does not lie in the undeniable truth of the sentiments rather than in any exaggerative force of mere words, and with this verdict we are satisfied.

ART. V.—*Memoirs of Sir Elijah Impey, Knt. first Chief Justice of the Supreme Court of Judicature at Fort William, Bengal; with anecdotes of Warren Hastings, Sir Philip Francis, Nathaniel Brassey Halhed, Esq., and other cotemporaries; compiled from authentic documents, in refutation of the calumnies of the Right Hon'ble Thomas Babington Macaulay, by Elijah Barwell Impey. London. Simpkin and Marshall,* 1846.

HISTORY has its ogres—its traditional monsters of cruelty and iniquity—no less than fairy-romance. Our chronicles would be dull and lifeless indeed, if there were no diversity of character, as of incident, to give animation to the written page. Strong contrasts, as every artist knows, are necessary to the production of effect. The painter, the dramatist, the novellist are equally dependent upon them. There must be a little exaggeration. The lights must be strengthened; the shadows deepened. The modesty of nature must in some wise suffer. Insensibly a line is rendered harsher; a tint more decided; a shadow broader, a light more brilliant. There may be no intention to exaggerate—but exaggeration progresses apace. It is so pleasant to watch the growing effect.

It is certain that the historian ought to be exempt from this weakness. It is equally certain that he is not. The temptations which beset him are great. Anxious to clothe with living flesh and blood the dry bones of history, he stamps with an individuality, good or evil, the chief actors in the scenes which he is endeavoring to revive. He brings one after another prominently forward, lustrous with many virtues or dark with accumulated crimes. The tapestry of historical narrative must have its contrasts. The figures must stand out distinctly. Each one must have a character of its own. If it were not for such portrait-painting history would be intolerably dull, and mere drudgery the office of the Historian.

We are by no means disposed to assert that an excess of imagination is the besetting fault of our English historians. We are rather inclined to reproach them with a want of imagination. We should entertain no very exalted opinion of the imagination of the painter, who were to individualise the different personages in a crowded piece, by giving to one a humped back, to another a portentous nose, to a third a shaggy head of hair. Such tricks may be the stock in trade of the caricaturist; the real artist has nothing to do with them.

He can individualise, without exaggeration. He can catch the likeness of each—can fill every portrait with character—can distinguish and contrast; and yet not strengthen one line, or deepen one tint, beyond the warrant of his original. Nay, it is the pride of the real artist that he can soften what is harsh, and subdue what is obtrusive, without sacrificing the fidelity of his portrait.

History has, indeed, been written, for the most part, in a too literal spirit—or rather in a too literal no-spirit. There is no want of picturesqueness in the real; if the artist had only eyes to see it and faculties to comprehend. There is no want of romance in the real, if he had only imagination to carry him beyond the barren regions of official formality. Invention is but one of the functions of the imagination; and not one of the most exalted. It is easy to invent a character or a situation. It demands higher powers to see into the inner life of things; to draw forth the romantic elements of the real; to eliminate the poetry that lies hidden in the actual, as the fire in the hard cold flint. The mere craftsman overlays the truth—or at most dresses it up in a garb of fiction. The master conceals nothing of the truth; adds nothing to the truth. It is his triumph to render the truth more interesting than any fiction.

India owes little to her historians. Our historians of India are so many dull monuments of opportunities neglected—of purposes unaccomplished. We write now only of historical portraiture, else would it be easy to show how all of romantic incident, of glowing scenery, of picturesque costume, has been lost by those hard dry utilitarians, who have seen only one side, and that the least attractive, of the truth. Of these failures we may write hereafter. Now we would only speak of the efforts, which have been made to individualise the most conspicuous characters of the great historical drama. There is no want of individuality in the portraits, which have been handed down to us. But what sort of individuality is it? The individuality of lineal exaggeration; of the hump and the proboscis. Our painters have taken care that there shall be no mistake about the matter. They have, too, saved themselves and their readers a world of trouble. Excessive deformity is easy to depict; easy to understand and to remember. Every child can tell you what sort of a person was Richard the III. of England. It is not every adult that can tell you off-hand what sort of a person was Henry the VII. The painter of the hump-and-proboscis school is sure of a certain amount of success. People do not readily forget his

portraits. Let him stamp hard enough and the impression will not easily be effaced. The world is used to have its ogres; and the historian does not find it difficult to suit the popular taste.

For more than half a century Sir Elijah Impey has been one of the ogres of Indian history. Warren Hastings, for some time, shared with him—perhaps had the larger share of—the execration of an unenquiring world. But Hastings contrived to outlive his unpopularity. After long years of persecution—persecution which consumed his fortune, destroyed his health, and broke his spirit—the tide turned suddenly in his favor. Public sympathy set in strongly towards the injured statesman. All acknowledged that he had done great things; all knew that he had suffered greatly. When the eloquence of Burke and Sheridan, which for a while rendered even Hastings himself mistrustful of his own innocence, ceased to vibrate in the ears, to touch the hearts, and to warp the judgments of the community, men began to bethink themselves of the great services he had rendered to his country, to see something noble in his daring, something admirable in the fertility of his resources, and to ask themselves whether these were not extraordinary occasions to palliate or justify his departure from ordinary rules of conduct. But for Impey there were no such pleas to be put forth in extenuation of his alleged errors. He had not saved a great empire. Services he had rendered, but they were not of the brilliant—of the dazzling kind. If evil had been done by Hastings and Impey combined, the former might have acted, nay, doubtless did act, in the heat of a fierce gladiatorial conflict, reputation for reputation, life for life, and he seemingly on the weaker side. But Impey was not a gladiator, but a judge: with the strife of parties he had nothing to do. If he erred in conjunction with Hastings, he erred not in passion, but in deliberation. He was not the originator; but the instrument. If great crimes were committed by the two, Impey must have been the passionless, calculating, sordid tool—a bravo, and yet a judge!

And all this was Impey declared to be. History set its seal on the verdict, nay, rather, history fraudulently endorsed the reckless assertions of the prosecution, for the verdict was on the other side. The denunciations of Sir Gilbert Elliot became history—the history of the *Annual Register*, under the conduct of the master-prosecutor, Burke. From the *Annual Register*, Mill exhumed the libels, which had lain there some thirty years. He adopted, with little stint, the charges of Sir Gilbert Elliot. For any use made of it by the Historian of

India, Impey's defence might as well have been never spoken and never published. Other writers, without investigation, followed in the footsteps of Mill; and, in the words of the work before us, "by this most obstinate and wonderful eredu-'lity, by the untiring malice of faction, and by the careless-'ness, indolence, presumption, and averseness to research of 'public writers—journalists, annalists, reviewers and essayists '—the exploded calumny of sixty years ago has been kept 'alive, and outrages and indignities have at intervals of time, 'continued to be heaped upon Sir Elijah's memory."*

And never did calumny run a more successful career. To the unreflecting and unenquiring public Sir Elijah Impey has during more than half a century been known only as a corrupt and cruel Judge—one, who stained the Judicial ermine by acts of almost unparalleled turpitude. It was so easy to describe such a character—so easy to understand it. The crimes of the first Chief Justice of Bengal were both in India and in England traditionary. People for the most part knew as much about him as they knew about Blue Beard. He was rather the embodiment of certain qualities than an actual historical personage—the incarnation of judicial baseness as Blue Beard of marital cruelty. It is so pleasant to take things for granted—to adopt a faith without the trouble of enquiry. The criminality of Sir Elijah Impey was a belief, which few people knew how they came by, though all clung to it as tenaciously as to Gospel truth: and when at last Mr. Macaulay emphatically declared, that "no other such Judge had dishonored the English ermine since Jefferies drank himself to death in the tower," he only gave utterance to an opinion which had been for sixty years rooted in the public mind. In that one crushing sentence was embodied the creed of the million, handed down from sire to son. Its enunciation in such unmistakeable terms, brought matters to a crisis. This was the turning point of the fortune of Sir Elijah's reputation. Thousands had gone down to the grave with a rooted faith in his official turpitude—thousands had grown up from youth to manhood, and declined from manhood into grey-haired age clinging to the same convictions. It has been said that every lie has sentence of death written down against it from the day of its birth. A lie can not live for ever. The sentence may be long before it is put in execution;

* Mr. Impey says, in his *Memoirs of Sir Elijah Impey*, that Mill "seems never so much as to have known of my father's printed defence." This is a mistake. The historian refers to it in a note at page 382, Vol. II. first (4to.) edition.

it was very long in the case now before us—but the lie *was* destroyed at last.

In the year 1841, there appeared in the *Edinburgh Review* one of the most brilliant articles that had ever adorned that celebrated publication. The subject of this paper was the career of Warren Hastings. Its author, as all the world knew, was Mr. Thomas Babington Macaulay. A short time before, an article from the same fascinating pen, had been devoted to the kindred history of Lord Clive. In India, these glowing articles were perused with even greater avidity than in England. Accustomed as we were to study Indian history in the erudite, but somewhat sterile volumes of Mill, it was refreshing indeed to dwell upon such graphic sketches as these, rife with all the accessories of romance;—vivid, picturesque, heart-stirring; full of incident and of character; in matter most suggestive, in manner most eloquent. Suddenly, as by the wand of the enchanter, the dry branches of history were clothed with leafy verdure—the barren plain became a flowering garden. Nothing so life-like—so gorgeous—so, all in all, characteristic of the "shining orient," had ever before been written. It was impossible not to recognise the hand of the master in these sketches—impossible not to discern those touches of nature, with which even the master-hand, not guided by the experience of the senses, would have been powerless to impart life and reality to the whole.

Mr. Macaulay had seen at least something of the scenes that he described. He had resided some years amongst us. It is true that he had not travelled far; that the actual range of his observation had not been very extensive. A dull man would have made little of such opportunities. But Mr. Macaulay being the very reverse of a dull man, saw as much, one morning, from the verandah of his house in Chowringhi, as an ordinary person would have seen in a year. A drive through the Chitpore bazar was as suggestive in such a case, as under ordinary circumstances a journey to Delhi or Lucknow. If Macaulay had spent only a week in Calcutta, he would have returned to England better qualified to write a history of India, than when his ship left the London docks.

Nay, this much may be said of any man with ordinary powers of observation. The gain may not be much; but it will be something. To such a man as Macaulay, the gain would have been immense. It is the faculty of genius to crowd into a week the experience of years.

And this glowing article,—read, admired, commented upon, quoted in all the public journals, and studied even by men

who cared little about any graver literature than that of the *Pichwick Papers*, albeit with the blue and yellow party-stamp upon it,—was received as genuine history. The statements it contained were not questioned. The graces of the style—the vivid word-painting—the graphic portraiture, bringing past scenes before us distinctly, as in a moving panorama, and historical personages with all the fidelity of actual life,—led the imagination captive and defied the criticism of documentary research. Men read the memoir of Warren Hastings as eagerly as though it were a new and brilliant romance. If they pondered at all it were only to assure themselves that statements put forth with such a dashing air of truth, with such a semblance of a whole-hearted reliance upon the justice of the denunciations they contained, and the general soundness of the views they enunciated, could not be otherwise than in strict accordance with clearly ascertained fact.

It is not to be denied that this gorgeous chapter of Indian History, or Indian Romance, added much to Mr. Macaulay's reputation, as an eloquent, a vigorous, a graphic chronicler of the past. The article was read by thousands upon thousands, in the pages of the *Edinburgh Review*, whence in a short time it was elevated into the upper air of recognized history, to become part and parcel of the essayist's collected works, and in that form to attract to itself new thousands of admiring readers. Four large impressions of the "Historical and Critical Essays, by Thomas Babington Macaulay," have now found their way into circulation. The work has taken its place in almost every library in Great Britain; and it is precisely one of those books, which are never permitted to rest long on the library shelves. The dust never accumulates about them. Hundreds and thousands of books are purchased every year, as furniture, like chairs and tables. But no man ever purchased Macaulay's essays without reading them; and few who purchase and read these captivating volumes do not retain them to read again and again. They never find their way to the book-stalls; but the place of all others where you are most sure to chance upon them is the table of the library or the drawing-room.

And of these charming volumes, it is not to be questioned that the memoir of Warren Hastings has long constituted the main charm. No similar essay has ever achieved so extensive a popularity; and yet it would have been better for Mr. Macaulay's reputation if that article had never been written. Six years have passed away since it was first published. The graces of the diction, the picturesque sketches, the

skilful contrasts and combinations—the entire cleverness of the whole piece—still remain unquestioned. But it now stands before the world as a cheat—a delusion—a painted sepulchre. It no longer, in the convictions of men, glows and scintillates with truth. Our faith in its revelations is broken down for ever. The religion which we once professed has been shown to be a great imposture.

The history of the exposure is soon told. To hundreds and thousands of English families Mr. Macaulay's volumes were a source of unmingled pleasure; to one English family they brought nothing but unmitigated pain. That one family was the family of Sir Elijah Impey. "If there be a slanderer," writes one of the sons of the chief justice, in emphatic italics, "base enough to find pleasure and triumph in having tortured 'the feelings of delicate and sensitive women, aged and 'honorable men, he may take my assurance for the fact that 'these calumnies have not only embittered the remnants of 'life, but mingled with the sharpness of death." These sufferings had been long silently endured; but the silence was now to be broken. Whilst the article on Warren Hastings remained unacknowledged, it was treated by the sons of Sir Elijah Impey as an anonymous libel. The republication of the essay, with the name of the author on the title page, gave a new aspect to the affair. Forbearance no longer appeared to be a virtue; and the surviving children of the deceased judge bethought themselves of coming forward, now at the eleventh hour, to vindicate the fame of a revered and beloved parent, whose integrity they could not question, and whose mercy they could not doubt.

The language in which Mr. Macaulay had spoken of the conduct of Sir Elijah Impey was harshly, bitterly, condemnatory, beyond the limits of calm historical discussion. It was a mixture of sarcasm and invective—of broad denunciation and subtle inuendo. It was at once vehement and venomous; the nature of the wolf and of the serpent combined. A few familiar samples will suffice to indicate the character of Mr. Macaulay's vituperations:—"The chief justice was Sir Elijah 'Impey. He was an old acquaintance of Hastings; and it 'is probable that the Governor-General, if he had searched 'through all the Inns of Court, could not have found a 'more serviceable tool."—"It is our deliberate opinion, that 'Impey, sitting as a judge put a man unjustly to death in order 'to serve a political purpose."—"The bargain was struck, 'Bengal was saved, an appeal to force was averted, and the 'chief justice was rich, quiet, and infamous."—"No other

'such judge has dishonored the English ermine since Jefferies 'drank himself to death in the tower." It would be difficult to throw a greater amount of bitterness into a few short sentences, than we see in these extracts from the "Historical Essay." A son might well resent such imputations as these upon the memory of a beloved father: and if some expressions of warmth were to creep into a vindication suggested by filial love and piety, it would be hard to condemn, with much severity, the vehemence of the offended writer. These and other similar passages, consigning to everlasting infamy the character of the first Chief Justice of Bengal, were indeed, too surely calculated to excite the indignation of the children of Sir Elijah Impey, and, in due course, one came forward to rescue from obloquy the name of one, whom party virulence had ranked with the basest, the most degraded *notorieties* of the age in which he lived.

It appears that when the public vindication of the character of Sir Elijah Impey was first determined upon, the precise course, which, under all the circumstances of the case, it was most expedient to adopt, became a subject of much and earnest consideration. Various modes of procedure were canvassed and rejected. Among these the question of a prosecution in a court of law was considered. Not, we believe, that the family of Sir Elijah Impey ever seriously contemplated a resort to such a tribunal, but that the question, in its legal bearings, was incidentally discussed. The question has been before considered, and that, too, by such eminent authorities as Dr. Johnson and Mr. Solicitor General Murray.* The latter contended that there should be reparation, in such cases, unless the author could establish the truth of the condemnatory assertions put forward in his work; whilst Johnson, with far greater truth, and more comprehensive regard for the interests of society, maintained, that if nothing were written but what could be proved in a court of law, the wheels of history would be locked for ever, and that it was of far greater consequence that truth should be told than that the feelings of surviving relatives should not be hurt. For our own parts we are of opinion that nothing could more effectually prevent all freedom of historical investigation than the power of commencing such actions, in courts of law, against free-spoken historians; and that, therefore, the recognition of any such principle would be to the last degree injurious to the

* Afterwards, Lord Mansfield, says Mr. Croker, led astray by a similarity of names. The party referred to was afterwards Lord Henderland.

literature of the country. Whatever we may think of the case, as it stands between Mr. Macaulay and the relatives of Sir Elijah Impey, we can not for one moment question the right of the former to treat the character of the chief justice with as much freedom as he would treat that of Sir Thomas More, or Lord Strafford, or any other historical personage. Hastings and Impey are public property, no less than Oliver Cromwell and Lord Bacon. Literature can assert its own prerogative. There are literary courts more cogent than any courts of law, and in these sooner or later, the calumniator of the dead will meet with fitting punishment. History must not have the sword of the law hanging over it by a single thread. Falsehood—whether born of malice or of carelessness will perish, without the aid of the law. The public is the best—the safest arbiter, in such cases. There are no such severe damages as those of a lost reputation.*

The Impey family, without encouraging such convictions as these, abandoned, as soon as formed, the idea of a prosecution in a Court of Law. Other paths were open to them. They might have taken up the defence of Sir Elijah Impey in the public journals; they might, perhaps, have obtained the insertion in a rival review of an antagonist article, which avoiding direct controversy, might have neutralised the venom of the paper in the *Edinburgh;* or they might have prepared a more elaborate memoir of the chief justice, setting forth the whole truth as established by the evidence of public records and other undeniably authentic documents. The last of these three courses it was finally determined to adopt; and the task of preparing this elaborate defence of an injured man devolved upon Mr. Elijah Barwell Impey—a son of the chief justice; a gentleman of quiet scholarly habits, well acquainted with ancient and modern tongues; possessed of no inconsiderable knowledge of history, especially the history of those modern times which embrace the Government and trial of Warren Hastings; an intimate and confidential friend of that great man, and of other celebrated cotemporaries of Sir Elijah Impey. All this and much more, but little skilled in book-making,

* A different opinion, on this subject, appears to be prevalent in France. There literary disputes are often settled by legal tribunals. Even last spring, Alexandre Dumas was cited for having defamed, in a work of fiction, an ancestor of the Marquis St. Luc—one who flourished as for back as the times of Henry III. of France. The court, after reading the work, sentenced the romance-writer to substitute in all future editions of his tale some other name for those of the Marquis' calumniated ancestor. Imagine Mr. Macaulay being condemned to make restitution after this fashion, and in all future editions of his "Historical Essays" to substitute the name of Zechariah Macaulay for that of Elijah Impey!

Mr. Impey addressed himself to the task of composing his father's biography, animated by the purest filial piety, and fixed in the determination, at all hazards, to speak the truth. If in so doing, under the influence of feelings which in moderation are commendable, and in excess venial, he has been betrayed into expressions of undue warmth—if he has written in some parts of his work, with an acrimony which he may himself regret, and marred the effect of the whole by imparting to it a controversial rather than an historical character, and has, in his eagerness to leave nothing unsaid, fallen into frequent repetitions by anticipating the progress of his narrative and retarded that progress by ever and anon halting to deliver himself of feelings of personal indignation and animosity no longer to be controlled,—the man and the critic must alike forgive him. The provocation was great; the temptation very grievous. And a "sense of intolerable wrong" will, at times, lash even the patient man into a whirlpool of excitement, and make the most self-collected forget himself.

But we may deeply deplore what we can not severely censure. Mr. Impey has spoilt his book; and damaged his cause—spoilt a good book and damaged a good cause. Had he thought only of convincing—not at all of convicting—he would have made for himself a larger circle of readers and gathered around him a denser crowd of sympathising friends. The controversial character of the "Memoir of Sir Elijah Impey" will limit the sphere of its influence. It should have been the determination of the filial biographer to send into the world such a standard history of the life and times of the calumniated chief justice as should supersede all other histories, and, based upon evidence heaped up, pile above pile, form the staple of all future histories of the same memorable times. For ourselves, we lament, that such a work was not written more than a quarter of a century ago. The error which has so long taken root in the public mind is more difficult to weed out than one only just beginning to strike. Sir Elijah Impey died in 1809. Had a memoir of the deceased judge been put forth shortly after this period, the present generation would not have grown up in the belief that Sir Elijah Impey was a corrupt Judge; and Mr. Macaulay would not have set his seal upon the injurious error.

For we hold that Mr. Macaulay, though a prejudiced writer is not a dishonest one. He would not knowingly falsify history. —The leading Reviews of Great Britain are avowedly party publications; and a leaning, even in historical dissertations, to one side or the other, is an understood result of the connexion

with Whiggism or Toryism. If the reader be not an arrant simpleton he makes allowance for this taint of party; and knowing this, the writer is indueed—we might almost say compelled, to give way, in some measure, to exaggeration, just as the huckster, who knows that he is to be beaten down, is compelled to ask for his goods a higher priee than they are worth. This, perhaps, will be granted by Mr. Impey and his friend; but it will be expeeted, on the other hand, that an anonymous artiele in a Review is one thing; a volume of "historieal essays," bearing the author's name, is another. It must, however, be borne in mind that Mr. Maeaulay published his essays avowedly as "Contributions to the *Edinburgh Review*." There is no attempt, upon *his* part, to elevate them into higher regions of literature than those to whieh they originally belonged. He sent them forth to the world with the stamp of the *Edinburgh Review* upon them; and left the world to make what abatements they might think fit.

Moreover, it ought not to be forgotten, that the assertions made by Mr. Maeaulay had often been made before—that the view he took of the eharacter of Sir Elijah Impey was the view whieh publie writers had almost always taken—that grave historians had done their best to perpetuate and that the publie had aeeepted it, without stint or qualifieation. Mr. Maeaulay may have added a few bitter drops to the eup of eensure, whieh had been passed from hand to hand; but he did not poison the stream of publie opinion. That he took, somewhat too readily, for granted all that Burke, Franeis and Elliot had deelaimed in Parliament, and Mill had reeorded in his ponderous history, and reproduced their calumnies in his own striking antithetieal language, with, perhaps, somewhat too keen a relish, is not to be denied. But we do not doubt the strength of his eonvietions. He believed that he was uttering the truth; and the faet that Mr. Mill had more than a quarter of a eentury before, denounced "the atrocious condemnation and exeeution" of Nuncomar—adding that "all regard to deeorum, to the eharacter of the English government, to substantial justiee, to the prevention of misrule and the detection of ministerial erimes, was saerifieed to personal interests and personal passions, the impartial enquirer eannot hesitate to pronounee,"—the faet, we say, that these broad assertions had been made in the only standard history of India in 1817, and that, up to 1841, no contradiction had been put forth, might have done something to rivet—as indeed it was well ealculated to do—the error whieh the reviewer imbibed at school, took with him to college, and clung to, without misgivings, on his entrance into publie life.

Some such considerations as these, we think, might have blunted the edge of Mr. Impey's resentment. The conduct of Mr. Thornton appears to us, more indefensible and more inexplicable than that of Mr. Macaulay. When the former gentleman was publishing his History of India by periodical instalments, Mr. Impey called upon him at the India House, and offered to place at his disposal all the family papers, manuscript letters, books and other documents in his possession, relative to the career of Sir Elijah Impey. "Politely, but coldly enough," says Mr. Impey, "he declined accepting 'my offer. I spoke of the difficulty of finding any copy 'of Sir Elijah Impey's defence, and of the importance and con-'clusive nature of the vouchers contained in that volume. 'But he wanted not the loan of my book, and I left him 'upon receiving his assurance that '*full justice would* be *done* 'by him to *Sir Elijah:*' within a short space of time his part 'came out. The justice which Mr. Thornton had done my 'father had been, to take upon trust the charges of his 'persecutors, to repeat the slanders of Mr. Mill, and to 'modulate his abuse in the manner of Mr. Macaulay."

We have read this passage with no small measure of astonishment. Mr. Thornton we have always regarded as a prejudiced, but, in the main, an honest and a temperate writer; and we are totally incompetent to understand upon what grounds he could have refused to examine the papers offered to him by Mr. Impey. So strange, so indefensible, appeared such conduct to the latter gentleman, that "in the heat of the moment," he in conjunction with his brother, Admiral Impey, "presented an ineffectual memorial to the East India Company." "We ought," adds Mr. Impey, "rather to have despised so impotent an attack. The dullness of Mr. Thornton's book was quite sufficient to limit its circulation. It is already consigned to merited oblivion. I have not met the person that has read it." The memorialist urged that as the book had been gratuitously circulated by the E. I. Company, to many of the proprietors of India Stock, they, in some measure, rendered themselves responsible for its contents. This, however, the court denied. They had only "given their patronage to the work." We confess that the gratuitous circulation of a work, written by one of their servants, if not tantamount to an approval of its contents, is very likely to be mistaken for it. The ordinary patronage of the court would signify nothing. The court might with propriety extend its patronage to a work, of a generally useful character, without regarding all the opinions expressed

in it, with unmixed approbation. Were no latitude of this kind allowed, the liberality of the India House could not flow, as now, through a broad channel. But it may be questioned whether that extraordinary patronage, which extends as far as the gratuitous circulation to proprietors of East India stock of a work compiled by an India house official, does not in some degree render the court responsible for the opinions contained in the work thus liberally patronised. The endorsement does not lie in the purchase of a certain number of copies of a book; but in the gratuitous circulation of it; and we are well aware that many of the proprietors who in this manner received Mr. Thornton's volumes considered that the book had the India House stamp upon it, and contained the only authorised version of Indian History yet given to the world.

We may now leave the controversy, to which we have already devoted too large a portion of our article, and pass at once to the biography of the first Chief Justice of Bengal.

Elijah Impey was born at Hammersmith, on the 13th of June 1732. His father was a London merchant, connected largely with the East Indian trade; and his mother the daughter of Dr. Fraser, the historian of Nadir Shah, uncle of that Lady Lovat, whom the notorious Simon Fraser married, or rather outraged, under circumstances of almost unparalleled atrocity. Elijah was the youngest of three sons, between the second of whom and himself there was an interval of nearly eleven years—a circumstance which was advantageous to the subject of this article, in as much as that James Impey, with tender fraternal regard, devoted much of his time to the education of his younger brother, and subsequently left him the greater part of his fortune.

The process of home education, however, was arrested at a very early age. In his seventh year Elijah Impey was sent to Westminster school, then under the superintendence of Dr. Nicoll. The celebrated Latinist, Vincent Bourne, who wrote the tidiest verses and wore the most untidy clothes, was one of the under masters; and among the students—Impey's school fellows—were many who in after years, and in various fields of honorable ambition, obtained for themselves lasting reputations. There was the trembling sensitive Cowper, who durst scarcely lift his eyes above the shoe-buckles of the elder boys—the morbid, broken-spirited poet over whose young mind, in that cruel Westminster school, passed the first faint shadows of that huge affliction which in his manhood thickened into total darkness. There

was Churchill, the vigorous, but coarse-minded, who in that scene of boyish strife hardened himself for the after-life of antagonism, in which he seemed to exult—the very antithesis of Cowper as a man, and yet as a poet, in some sort, his model. And there, too, was Warren Hastings, who, as a boy even as a man, took the lead of all his fellows, whose great mind, encased in a weakly body, shot ever in advance of all difficulties and triumphed over all obstacles; who beat all his cotemporaries at Westminster, as he outshone all his associates in India, and would have been, on any arena, the foremost man of his age. There, too, were the proud-spirited, the ill-starred Lloyd; the scholarly and successful Colman; the voluminous, self-satisfied Cumberland; and many men of note as politicians and divines, as Lords Stormont and Shelburne—the Bagots—Sir Richard Sutton;* a crowd of men to whom the Georgian æra owes much of its varied lustre. Many of these were Impey's personal friends—nearly of the same age and of the same standing in the school.† Impey and Hastings were close allies and constant associates. "Stimulated," says Mr. Impey, "by the same generous emulation, they were friendly rivals in every boyish exercise, whether of play or study. They swam in the Thames, and rowed upon it with each other; they played at cricket and capped verses together." "We may safely venture," writes Mr. Macaulay, under an incontrollable impulse to deliver himself, at all hazards, of something smart, "that whenever Hastings wished to play any trick more than usually naughty, he hired Impey with a ball or a tart to act as a fag in the worst part of the prank"—an inuendo, which we think Mr. Impey might well have left without any serious notice. Such "guesses" as these may be abandoned, with perfect safety, to the judgment of the public, which can never experience much difficulty in deciding whether they most damage the object or the author of the impertinent surmise.

In 1747, young Impey was a candidate for admission to the

* It is believed by some—and we acknowledge that it was once an article of our own faith, that Thurlow was among this glorious batch of Westminster schoolboys. His intimacy with Cowper and Impey, and his acquaintance at least with Hastings, warranted the supposition. Indeed, we remember reading, many years ago, an interesting series of sketches, or rather *tableaux*, based upon the hypothesis that Cowper, Hastings, and Thurlow were school fellows. The last was never at a public school. Cowper was his fellow student in a solicitor's office; and his (Thurlow's) acquaintance with Impey commenced in the Inns of Court. They were born in the same year; but Thurlow had considerably the start of him as a man, having quitted Cambridge, in disgrace, before Impey's matriculation.

† Impey was born in 1732; Hastings, in 1732; Cowper, in 1731; Churchill, in 1731; Lloyd, in 1733.

benefits of the foundation. On the list of King's scholars, nominated on this occasion, Hastings held the first place and Impey the fourth. In 1750, the former sailed for Calcutta, but it was not until the following year that the latter quitted Westminster school and "was admitted pensioner of Trinity College, Cambridge, having on the 8th of December entered as a law student at Lincoln's Inn." At Cambridge he greatly distinguished himself. Every year added something to his honours. He was a Wrangler and a Chancellor's Medallist—second in the tripos of 1756; and in the following year he obtained a Trinity Fellowship. In the mean while (1756) he was called to the Bar. "There," writes Mr. Impey, "he soon 'became acquainted with all the most eminent or rising charac-'ters in the profession of that day." Among these was Thurlow, a man of rare talents and little courtesy, who had learnt early in life the true worth of genuine manhood and carried the independence of the school-boy through all the stages of his journey to the Woolsack; who looked down upon the proudest peers, and with level eyes confronted the throne. Among them, too, was Dunning, a man of a more genial and kindly nature: who dearly loved a joke, and never forgot a friend.* Among them, too, were Mansfield, Wallace, Heath, and the upright Kenyon, who, years after the return of Impey from the East, nodded, one day, from his seat in the Queen's Bench, familiar recognition at his old fellow student, and with characteristic cordiality exclaimed, "Ah! Impey! had you stayed at home, you might have been seated here."

With no ordinary powers of application did Impey devote himself to the cultivation of the law. He was assiduous in his chamber studies; and regular in his attendance in the Courts. We have now before us a manuscript volume, in Impey's hand-writing, containing a recital of cases tried in the King's Bench, Guild-hall, Westminster, &c. &c., commencing shortly after his call to the Bar, which indicates the earnestness with which he devoted himself, from the very outset, to his profession and the systematic vigour with which, as time advanced, he prosecuted his calling. Business however, did not flow in very rapidly; it seldom does, under like circumstances. He who would pluck the golden apples of the law must be content to wait for years beneath the cold shadow of the tree. In 1766-67, Impey was not so over-burthened with business that he could not find leisure to take "an extensive tour on the

* To Thurlow and to Dunning, Impey constantly wrote from Calcutta details of all his proceedings—but with very different results. Thurlow had a knack of forgetting his old friends.

continent." Setting out with Dunning and Popham, as his travelling companions, he visited Naples and Rome. At the former place he shed some paternal tears over the grave of his brother James, and in the latter, he sate for his bust to Nollekens, then just at the outset of his eccentric career. Before the close of 1767 he found himself again in England.

In January 1768, he took an important step—he married. The lady of his choice was the daughter of Sir John Reade, Baronet, of Shipton-court, in the county of Oxford. In one of those streets leading from the Strand to the river Thames, now principally occupied by attorneys and courtesans, though once favorite and fashionable localities, they took up their abode. Mr. Impey says, that his father "lived sparingly and 'worked very hard as became a barrister who had to make his 'way without patronage or extraneous support." The last expression is somewhat ambiguous. It can scarcely signify that his parents were in straitened circumstances—that they relied entirely on the professional earnings of the young lawyer, for James Impey died in 1756, and "left a considerable property to his youngest and favorite brother," Elijah, who was not the man to squander a comfortable fortune in a few years. Be this as it may, they lived quietly and happily. "I have 'often heard my dear mother say," writes Mr. Impey, in the memoir before us, "that this was by far the happiest 'period of their lives. An increasing family was a stimulus 'to exertion; and his warm affections rendered toil easy. In 'all the cares, crosses, and vexations attendant on an always 'harassing profession, he was never known to lose his sweetness 'and cheerfulness of temper." And this we can readily believe —Impey retained to the very last all the characteristics of an affectionate husband, an indulgent parent, and an amiable man—an assertion, which we have no doubt Mr. Macaulay would treat with a sneer of the same quality as that with which he received a certain plea, real or imaginary, in behalf of King Charles the first.

Impey went the Western Circuit. In those days, it was not uncommon for lawyers to ride their own horses from town to town;* and lawyer Impey's hack was as well known

* A horse, indeed, appears to have been as indispensable to a lawyer as a wig and gown. Lord Campbell tells a story of Thurlow to the effect that, in order to procure a nag to carry him round the circuit, not having one of his own, and being overburthened neither with money nor honesty, "he went to a horse-dealer and said to him that he wished to purchase a good roadster—price being no object to him—but that he must have a fair trial of the animal's paces. The trial being conceded he rode off to Winchester, and having been well carried all the way round, but still without any professional luck, he returned the horse to his owner saying, 'the animal

as himself. Dunning went the same circuit, and *led;* Impey held the second place; and distinguished himself in several difficult cases, to one of which in particular the biographer attributes much of his father's ultimate success. Impey was opposed to Dunning and beat him. The witnesses of the latter could not withstand the searching examinations of his friend. How much this case, which was tried in the picturesque city of Exeter, at the Assizes of 1769, may have contributed to the making of Impey's fortune we are not competent to determine—but there is another more celebrated case, in which Impey was prominently concerned, but of which his son makes no mention, not to be lightly regarded in the estimate of the causes of his professional advancement—the well known Cumberland and Grosvenor case, in which Impey was employed as counsel on the side of the Duke.

That Impey's old associate, Thurlow, was mainly instrumental in obtaining for him the well-salaried Indian appointment, we have the recipient's own authority for believing. In the letters of the Indian judge to the English lawyer, then making his way by rapid strides to the wool-sack, we find many such allusions as these:—"It is to you I shall always hold myself responsible for my conduct;" and again, "it is to you I hold myself answerable, and to whom I look up for protection." But still more unmistakeable is the import of the following:—"My income is much larger than I had any hope to expect 'when in England, and your kindness gave it to me at a time, 'when the critical situation of my affairs made me look to little 'further than to being extricated from embarrassment."* We do not think that after perusing these passages any reader will hesitate to believe that Impey was indebted for his judgeship to the recommendation of Thurlow.

notwithstanding some good points, did not altogether suit him.'"—*Lives of the Chancellors, Vol. V.*

* MS. Letters (unpublished) in the British Museum, deposited by Mr. E. B. Impey. It is right to add, that Sir Elijah never forgot his obligations to Thurlow. He constantly wrote to his old friend; constantly expressed his gratitude. But that friend was the most uncourteous of men, and never answered his letters. Thurlow had some good qualities, and was a great lawyer; but he was not a gentleman. He was intensely selfish; utterly incapable of generous friendship. Cowper complained of his neglect—or rather spoke of it without complaining. He described the character of the man *ad unquem* when he said, "He will give grudgingly in answer to solicitation, but delights in surprising those he esteems with his bounty." And again, "he is well aware of the tricks that are played on such occasions, and after fifteen years' interruption of all intercourse between us would translate my letter" [he did not write it] "into this language—pray remember the poor. This would disgust him because he would think our former intimacy disgraced by such an oblique application." Impey did not understand him so well. He wrote constantly, often asking for support and assistance, and Thurlow in all probability thought him a bore.

Whatever may have been the secret history of Impey's elevation to the bench—and we have no right to seek for any other cause than that which lies on the surface, the merits of the man—he was selected in 1773, to fill the office of Chief Justice, in the Supreme Court of Judicature at Calcutta, then recently erected under the Regulating act. The ostensible recommendation came, of course, from the Lord Chancellor (Bathurst) and on Impey's old school-fellow, Lord Shelbourne, devolved the duty of making out his commission. Under the Regulating act, the new court was composed of a chief justice and three puisne judges; the former with a salary of £8,000 per annum, the latter of £6,000. The amount, being fixed according to the English currency, was a constant source of trouble and perplexity to Impey and his associates, who were nominally allowed the sum mentioned and yet never knew how to remit it, and seldom how to obtain it.

The other judges were Chambers—a man of high character and good parts, who had been Vinerian Professor at Oxford, and an associate of Dr. Johnson; Hyde, who had gone the western circuit with Impey, and Le Maistre, who appears also to have been an acquaintance of the chief justice. Indeed, there is reason to suppose, that both Hyde and Le Maistre owed their appointments, in some measure, to Impey's recommendation, for we find him three or four years afterwards writing to Thurlow, "I have every day more and more reason to 'be concerned at my having assisted in getting Hyde and Le 'Maistre appointed judges."* The cause of his concern we shall come presently to consider.

Early in April 1774, Impey, who had been previously knighted, embarked on board the *Anson*, then bound for Calcutta. His wife was the companion of his voyage. She does not appear to have hesitated. The undertaking was not only a formidable but a painful one. People in those days had a much greater dread, than at present, both of the Indian climate and the Indian voyage; and lady Impey was called upon to leave her young children in England—a trial, which, even in these days of rapid communication, breaks the spirits of many a mother, and which seventy years ago, when it was the work of a year to receive and respond to tidings from home, must have well nigh broken the heart.

Of the incidents of the voyage from England to Calcutta we have few particulars. In these days a voyage round the Cape is principally remarkable for an utter absence of incident

* Unpublished letters in the British Museum.

of every kind, and the description of one such passage may, with scarcely a variation, be rendered applicable to all. But in the last century, even under ordinary circumstances, an Indian voyage was far more eventful than in these peaceable prosaic days, and that was no ordinary voyage, which witnessed the assemblage in one vessel of Francis, Clavering, Monson, Impey, Chambers, Hyde and Le Maistre. Mrs. and the Misses Clavering appear to have accompanied the general; whilst lady Anne Monson also followed the fortunes of her husband. It was more than ten years later that Mrs. Shore allowed her husband to embark alone, because, as the biographer of Lord Teignmouth affirms, "the voyage was then seldom attempted by ladies."*

On the 15th of October, the *Anson* reached Kedgeree,† but it was not until the 19th that she was opposite to Chandpal Ghat. Mr. Impey seems to question the truth of the story relative to the offence given to the new councillors by the salute of seventeen guns. "Mr. Macaulay," says the biographer, "who loves to put every thing pointedly and 'dramatically, and who seldom objects to a loud report or 'striking effect, says, that the Members of Council expected 'a salute of twenty-one guns from the batteries of Fort 'William, that the Governor-General allowed them only 'seventeen, and that this trifle was sufficient to give occasion 'for dispute." Now this story is not Mr. Macaulay's; but Mr. Gleig's—or rather Warren Hastings', on whose authority that gentleman narrates it. We see no reason to doubt its authenticity. Another anecdote, more immediately relating to the subject of this article, has obtained for itself greater currency than it deserves. It is said, that Impey, when the vessel anchored off Calcutta, was greatly moved by the sight of so many bare-legged and ill-clothed people, and exclaimed to one of his brother judges—"See the wretched victims of 'tyranny! The crown court was not established before it was 'needed. I trust that it will not have been long in operation 'before all these poor people will be comfortably clothed in

* See *Calcutta Review*, Vol. I. Art. "Lord Teignmouth."

† Impey and his family appear to have received much attention during the voyage from one of the ship's officers—a Lieutenant Atkinson—and it is a proof of the kindly and grateful nature of the Chief Justice that he never forgot this man; but subsequently exerted himself greatly to serve him, and succeeded in obtaining for him the command of a ship. Impey endeavoured to obtain for him the good offices of Thurlow, whom he appears to have offended by a strange bit of *gaucherie;* for, calling at the great lawyer's house, a little way out of town, and not succeeding in obtaining admission through the door, he made good his entrance by the window. Thurlow seems, however, to have forgiven the rough sailor; and subsequently to have appreciated his rugged worth.—*MSS. Letters in the British Museum.*

'shoes and stockings." The joke is a very good one; but it appears to be at least apocryphal.

In the mean while Warren Hastings was chewing the cud of bitter fancies in Calcutta. It was not possible that he should have regarded with any complacency the appointment of the new Members of Council, and the establishment of the Supreme Court. He saw before him endless embarrassments and undying contentions. It was beyond the limits of reasonable expectation, that even with the best intentions on all sides peace should be long maintained. Here were suddenly let loose upon the Indian Government seven gentlemen of mature years, educated in the Courts of Law, the bureaus, or the saloons of Great Britain, with all their English prejudices and predilections strong upon them; and with just as much knowledge of India, its laws and institutions, the temper and character of the people, the fiscal and judicial systems of our own provinces, and the polities of neighboring states, as though they had been transported to a new planet. Impey appears to have been the most Indianised of the whole batch of Europe importation, for his father was a real East-Indian merchant, and his maternal grand-father had written a history of Nadir Shah!!

But the prospect before the Governor-General was not all evil. Impey was his old associate and friend. The schoolfellows appear to have renewed their intimacy, when Hastings visited England in 1765; and the intelligence of Impey's appointment to the chief seat in the new Court was a source to his harrassed mind of infinite consolation. As early as the month of August he addressed a letter to the new Chief Justice, intended to meet him at Madras, in which he says, "My dear Impey; advices from England seldom afford either 'pleasure or pain unmixed, but the news of your new appoint-'ment to preside over the high Court of Justice, constituted 'by Parliament, affords me every cause of satisfaction without 'a circumstance of regret to alloy it. In truth, my friend, 'nothing else could have reconciled me to that part of the 'Act, which, if any latitude is left to you in its first establish-'ment, may, and I am sure will, be made a source of the most 'valuable benefits to this country. I need not say how much 'I rejoice in the prospect of seeing so old a friend, indepen-'dently of the public advantages which that friendship, 'cemented (if it required it) by the same connexions, can not 'fail to produce in the conduct of such affairs as are likely to 'fall to our respective or common lot."* And a few months

* Gleig's Memoirs of Warren Hastings.

afterwards he wrote to Sulivan:—"The Court of Justice is a 'dreadful clog on the Government, but I thank God the head 'of it is a man of sense and moderation. In all England a 'choice could not have been made of a man more disposed to do 'good and avoid mischief—which however is not wholly in his 'power, and I am sorry for it." And again he wrote to his friend Palk:—"I find Sir Elijah the man you describe him, 'and much as I have always known him, moderate, sensible, 'and to myself friendly. It is happy for this country and for 'the Company that he is so, and that two persons so mutually 'well inclined are at the head of two departments most admir-'ably adapted for hostility." And because such was Impey's disposition Mr. Macaulay has asserted, that in all the Inns of Court, Hastings could not have found so serviceable a tool. This, however, at least is certain, that if Impey were well inclined to be a tool, he showed very little wordly wisdom in placing himself in the weaker hand. To have conspired with Francis would have been a much safer game, and no man knew this better than Impey himself.

It was, as we have said, on the 19th of October 1774, that Impey and the other judges of the Supreme Court landed at Chandpal Ghat. Without loss of time they "proceeded to open the King's Commission and to organise and establish the Supreme Court." The XIIIth clause of the "Regulating Act" had established a Supreme Court of Judicature at Fort William, "to consist of a chief justice and three other judges; which said Supreme Court shall have full powers to exercise all civil, criminal, admiralty, and ecclesiastical jurisdiction, and appoint such clerks and other ministerial officers, with such salaries as shall be approved of by the said Governor-General and Council, &c. and also shall be at all times a court of record, and a court of oyer and terminer and goal delivery, in and for the said town of Calcutta and factory of Fort William, in Bengal, and the limits thereof, and the factories subordinate thereto." The next clause defined the precise limits of the court's jurisdiction, which was to extend to all British subjects residing in Bengal, Behar, and Orissa—to all the Company's servants and to all other European subjects of the crown. The court had no power to try the Governor-General and Members of Council for any offence not being treason or felony; but was competent to try all other persons being His Majesty's subjects, on all suits or actions against any inhabitant of the provinces above mentioned. Another clause enacted, that all offences should be tried by a jury of British subjects resident at Calcutta. But though the Regulating Act thus defined

the powers of the Supreme Court, it was deemed expedient more fully to declare the precise boundaries both of the competency and responsibility; and in the letters patent issued 26th March, 1774, establishing the Supreme Court, it was declared competent to adjudicate "in all trespasses against the Company, Mayor's Court of Calcutta, or others in Bengal, or others who have resided there, or who have effects there, or are or have been in the Company's service or of the Mayor's Court, or of others, but not against such as have never resided there;" and in the XIXth clause, the court is commanded "in all respects to administer criminal justice, in such or the like manner and form, or as nearly as the conditions and circumstances of the place and the persons will admit of, as in the courts of oyer and terminer, in that part of Great Britain called England, and to hear and determine and award judgment and execution of all treasons, murders, felonies, forgeries, &c. committed in the districts and provinces, called Bengal, Behar, and Orissa, by British subjects, or other persons who shall at the time of committing them, have been employed by, or shall have been directly or indirectly in the services of the Company." It further makes it "unlawful for offenders to object to locality, or the court's jurisdiction, or to juries; and orders all offenders to be tried, as if their crimes had been committed in Calcutta." Nor will it be amiss to add, that the XXXIXth clause, strictly "charges and commands all the King's governors, commanders, magistrates, officers and ministers, civil and military, and all his majesty's liege subjects in Bengal, Behar, and Orissa, &c., that they be aiding, assisting, and obedient in all things unto the Supreme Court, as they shall answer for the contrary at their peril."

Such was, in its main features, the constitution of the new court of judicature in Bengal. It is right that at least we should do this much to render the nature and scope of its powers intelligible to our readers. We should be carried even beyond those extended limits, which we have allowed ourselves on the present occasion, if we were to discourse, however relevant to our subject, and however interesting the enquiry, upon the condition of public justice in Bengal, prior to the establishment of the Supreme Court and the general effect of its establishment on the natives of the country. It is necessary that we should assume the possession by our readers of a certain amount of information on these and many other points incidental to our narrative—some of which have, indeed, been already enlarged upon in the pages of this journal and others may hereafter present themselves for separate discussion.

That it must have cost the new judges an immensity of labor to get the machinery of the new court into working order, no one, who has the least acquaintance with the nature of the judicial establishments which had preceded it, will find any difficulty in believing. On Impey the principal share of the toil necessarily descended; and he did not shrink from the trouble or from the responsibility. He appears to have applied himself from the very day of his arrival with unfailing assiduity to his official business, drawing up the necessary rules and orders for the regulation of the procedure of the new court, and yet finding time to devote to the study of the Persian language. The business of the Supreme Court was to be carried on in the English tongue; but Impey well knew how much his efficiency as a judge would be enhanced by an acquaintance with the ordinary judicial language of the country. "I am laboring hard at the Persian language," he wrote to his brother, not long after his arrival, "and therefore hope you will not neglect sending me Richardson's dictionary." At the same time he made great and successful efforts to acquire a competent colloquial knowledge of the Bengali. There have been judges since on the Indian bench, who at the close of their career, have possessed scarcely as much knowledge of the native languages as would enable a subaltern officer to qualify himself for the command of a Company.

But there was other and more exciting work in store for the new judges. Scarcely was the machinery of the court in order, when it was applied with all its formalities and technicalities to the trial of an exalted offender. The first criminal brought before it was the Maharajah Nuncomar. He thought himself—all Bengal thought him—too high for the law to reach. He had wealth—influence—caste—the support of the Supreme Council. He was the head of the Brahmans of Bengal. He was the friend of Francis, of Clavering, and of Monson. He would have been at the head of the native administration of the province, if Hastings had not shivered to atoms the double government at a blow. Strong in all these outward adjuncts he was stronger still in himself. His unscrupulous audacity was almost sublime. Actuated alike by avarice and ambition, there was no wickedness so great as to appal him, in the pursuit of his own ends. Baffled by human agency, his malice and vindictiveness were as boundless as the rapacity of his desires. The Governor-General had foiled him, and against the Governor-General he employed all the artifices of consummate craft, and all the energies of untiring hatred. The time seemed auspicious. The enmity

of the majority was a great fact, which he at once resolved to turn to account. It appeared easy to compass the destruction of the Governor-General. He attempted; and was on the brink of success.

Hastings, as we have seen, had regarded with no little jealousy and apprehension the establishment of the Supreme Court. The erection at the very gates of the Council Chamber of a totally independent estate—armed with gigantic power and competent to sit in judgment upon the Governor-General himself—was enough to alarm the sagacious understanding of one who well knew the necessity of retaining that broad margin of official rectitude, which in a more settled state of society it is not only safe, but expedient to narrow. He little thought how soon this tremendous engine would be set at work for his own salvation. Nuncomar brought his charges; and the council heard them. A charge was also brought against Nuncomar; and the terrible truth soon began to dawn upon him that there was a power in Bengal even stronger than the Supreme Council itself; and that that power was now to be put forth for his destruction.

But it was some time before the Brahman came to a full understanding of this stupendous truth. He was arrested on a charge of forgery. This was a small matter. He thought nothing of the crime. His countrymen thought nothing of it. It was almost as common as lying, in a country where a false oath can be bought for a few pence. Forgery and perjury had long been Nuncomar's stock-in-trade. It seemed strange that so small a matter as the forgery of a bond—and that too, five or six years before—should ever bring him into trouble: incredible that it should bring him to the gallows.

Nuncomar, at the time of his arrest, was under recognizances, together with Mr. Fowke, to appear before the judges to answer to a charge of conspiracy preferred against them by Mr. Hastings. Other parties had been accused, but after a searching examination Impey and his brethren decided that the evidence against Nuncomar and Fowke alone was sufficient to warrant their being called upon to give bail. Hastings was bound over to prosecute.

Nuncomar was at large, and in high honor, for the majority having elevated him to the rank of a hero were paying him all possible honors, when on the 6th of May, he was arrested for the forgery of which we have spoken. The crime had been committed some years before; and since the date of its commission Nuncomar had been honored and rewarded by the Government. But it does not, therefore, follow that the

offence was one which had for years escaped recognition. The fact is that Nuncomar had been charged by the same party, with the commission of the identical offence, during the existence of the old Mayor's Court; he had too, been arrested and committed, but subsequently released through the instrumentality of Mr. Hastings. The forged instrument was, on the arrival of the new judges, in the archives of the old Mayor's Court, from which it was rescued by Sir Elijah Impey and his colleagues, and by them returned to the original prosecutor, Mohunpersad, some time before Nuncomar brought his charges against the Governor-General. It is right that these circumstances should be kept distinctly in view; for it is often urged and generally believed that the offence for which Nuncomar was executed, had been wholly unnoticed until it suited the purpose of his enemies, six years after the crime had been committed, to produce the evidences of his guilt. That there are at least certain coincidences to give a color to the suspicion that the ostensible prosecutor was influenced by other motives, than those of mere private revenge, it would be dishonesty upon our part to deny. But at the same time it must be stated, that, assuming no concealed influence were employed, nothing can be more intelligible than the conduct of the ostensible prosecutor. He had brought his charges against Nuncomar, during the existence of the old Mayor's Court; but the Governor-General was stronger than that court, and had obtained the liberation of Nuncomar. On the dissolution of that tribunal, the document, which had been lodged as proof of Nuncomar's guilt, was, as we have shown, returned to the prosecutor; and nothing can be more probable than that he, on learning that the new court was wholly independent of the Government, should now have felt himself in a position to recommence the prosecution with every prospect of success.

Mr. Macaulay has, with characteristic confidence, asserted, that "it is the opinion of every body—idiots and biographers excepted—that Hastings was the real mover in the business." We should not be inclined to judge him very harshly if he were; but for Impey there could have been no valid excuse, if he really became, as alleged, the judicial tool of the Governor-General. There is, however, no sort of evidence to criminate the chief justice. Nuncomar had been arraigned for the identical offence, before the appointment of the new judges, who found the condemnatory document, which hanged the wily native, among the records of the Mayor's Court, and returned it to the original prosecutor some time before they could by any possibility have suspected the uses to which it

would be turned. Much has been made of certain coincidences of time and circumstances; but nothing has been written or spoken to shew that the Supreme Court did not from the commitment to the execution of Nuncomar proceed, through every judicial stage, with the strictest formality. Nuncomar could not have been committed sooner or later—or tried sooner or later—than he was. And as to circumstances, nothing, as we have said, can be more probable than that the prosecutor took advantage of the circumstance of the establishment of the new court, the circumstance of its independence, and the circumstance of the strife between the Governor-General and his old opponent to renew the charges against the latter.

It was on the 6th of May 1775—just two months after Nuncomar had placed in the hands of the majority his charges against Hastings—that the Maharajah was arrested on a charge of forgery, under a warrant issued by judge Le Maistre.* He was thrown into prison—the "common gaol of Calcutta." Francis and his associates, exasperated almost to madness, vainly endeavoured to rescue their baffled confederate. The offence was not a bailable offence. The judges could not be induced to swerve from the straight line of formal justice. Nuncomar was cast into prison; and there he remained to take his trial.

But the councillors who could not remove him from the prison, could at all events visit him there. They could flatter and console him; could buoy him up with false hopes, and heap upon him empty honors. His son Gúrúdas was promoted; and his prison was turned into a durbar. The majority visited him in state; and all their *posse comitatus* of hangers-on and protegés flocked eagerly to the prison. Lady Anne Monson and the ladies of General Clavering's family sent friendly messages of condolence; and the aides de-camp and secretaries of the General were always passing and repassing between his house and the gaol. Men on the look out for promotion—the crawling, creeping adventurers, who, in those days, swarmed in the dusty atmosphere of Calcutta, found a visit to the felon's prison more serviceable than attendance at the General's levee. Fellows, who in their hearts hated and despised every native in the country, thinking them all, from Nuncomar downwards, only fit to be hanged like dogs, now were suddenly filled with virtuous sympathy and enlarged tolera-

* Le Maistre was the sitting magistrate, when the charge was exhibited. He subsequently requested the assistance of Hyde, and the examination which ensued lasted from nine in the morning till nearly ten at night. The commitment was then made out in the usual form, under the authority of the two judges.

tion. Great men talked about what they would do; and little ones echoed their opinions. The judges were threatened with disgrace, it was generally believed that a rescue would be attempted, and the prisoner was promised an eventual triumph, greater than any he had achieved before. And Nuncomar hoped and hoped; and hope grew into confidence, for he did not know the strength of the law.

The scorching month of May wore on to its close. In spite of the sultriness of the weather Nuncomar's levees were well attended. His prison-quarters were not so intolerable as they were represented. It was afterwards shown in evidence that the apartments to which he was removed were better than those in which he was arrested. Every effort, indeed, was made by the judges and their officers to alleviate the bitterness of his lot. His rooms were in a detached part of the gaol, separate from those of the other felons. Every possible convenience was allowed to him, for the performance of his ablutions and the ceremonial observances of his caste. Free access was permitted to his presence; and the Chief Justice sent frequent messages to the keeper of the gaol, desiring him to treat the prisoner with all possible consideration and respect. He did more than this. When it was reported to him that Nuncomar's health was failing, he immediately sent a physician to him; and subsequently, against the remonstrances of Judge Le Maistre, permitted the prisoner to "eat the air" outside the prison walls.

In due course the day of trial arrived. Nuncomar, it has been seen, was arrested on the 6th of May. In June the sessions commenced. A true bill was found against the prisoner; and on the 8th, he was called to the bar to take his trial for forgery, before the Chief Justice, the three puisne judges, and a jury of twelve British subjects. Chambers was of opinion that the indictment should be laid under an act of Queen Elizabeth, in whose time forgery was not a capital offence; but this suggestion was over-ruled by the other judges, who could see nothing to absolve them from the necessity of administering the English law as at that time administered in England. The Regulating Act, indeed, plainly interpreted, had left them no alternative. Much has been said and written to show that Nuncomar was not within the jurisdiction of the court, and that the English law was not applicable to India; but we confess our inability to understand how any man of ordinary comprehension, with the Regulating Act and letters patent before him, can so interpret the clauses of either, as to arrive at a conviction that a British subject, like

Nuncomar—one actually in the employment of Government—was not amenable to the English law. The articles of Sir Gilbert Elliot's wordy impeachment contains nothing to shake our conviction of the legality of the indictment. The assertion that the Supreme Court had not "any criminal jurisdiction whatever, in any case whatever, over the native inhabitants of the provinces" named in the Act, is in these days valued at its true worth. The most desperate party-writer would not venture to endorse it.

But there is something more plausible in the assertion, that Nuncomar was tried unjustly by an *ex post facto* law. The felony had been committed some years before the erection of the Supreme Court; and to try a man capitally for an offence, which was not capital at the time of its commission, would clearly have been a gross violation of the principles of justice. All this is undeniable; but the argument proceeds upon the assumption, that forgery was not a capital offence in Calcutta, when Nuncomar forged the instrument on account of which he was summoned to take his trial in the Supreme Court. But the assumption is mere assumption. Nuncomar might have been hanged for forgery, if the Supreme Court had never been established. Some years before, a native of rank, named Radachand Mittra, had been tried for forgery and sentenced to be hanged—but had been subsequently pardoned; and it appears from the evidence of Mr. Barwell, a man of unimpeachable integrity, that before the establishment of the Supreme Court, natives of Calcutta *had been* hanged for forgery. It would be monstrous, therefore, to assert that Nuncomar was ignorant of the penalty attaching to the crime of forgery. He must have known that it was a capital offence.* He might have been hanged, if he had been tried before the old Mayor's Court: and no man knew this better than Nuncomar himself.

The trial came on. The court was densely crowded. In the suffocating month of June—just before the first falls of rain freshen the arid dust-charged earth and revive the languid energies of prostrate humanity, Nuncomar was formally arraigned. Men of different countries and of all classes, regardless of the exhausting heat, thronged into the sultry court. The European and native communities were alike interested in the issue of the trial. The Company's servants, civil and

* This is not mere conjecture. Nuncomar was one of those who signed the petition in favor of Radachand Mittra—which petition urged, that the sentence of death, without the execution—if the penalty were remitted—would be sufficient to deter other natives from the commission of the crime.

military, of all ranks, made their way into the Court-House, and the natives of Calcutta and the surrounding country, the highest and the wealthiest, jostled and strained and sweated, with outstretched necks, eager to catch a sight of the new judges, in their robes of office, and of the exalted culprit by many hated and by many feared. The Chief Justice and the three puisne judges were on the bench; Mr. Farrer and Mr. Brix, two of the most eminent English lawyers in the settlement, were retained for the prisoner. The counsel did not question the competency of the Court. Nuncomar did not doubt it. The principal witness, Mohunpersad, was called in ; and stated his case with great distinctness. Witness followed witness. Evidence was accumulated upon evidence. It was made clear to the court—to all the assembled spectators—that Nuncomar had been guilty, not of one act of forgery, but of many. His own witnesses were called in ; and the grossness of his iniquity was rendered more and more apparent to all present. New lies were told—new perjuries committed—nay, indeed, new forgeries were perpetrated. There is always an unlimited amount of false-swearing to be obtained in India at the smallest possible price. Nuncomar made the most of this facility—but his witnesses swore to no purpose. The trial was an unusually long one. There was no limit to the swearing; and there were two languages spoken in court. The necessity of interpreting every word greatly protracted the natural length of the proceedings. The court summed up, and with what fairness all who read the charge may determine. There could be no doubt of the sufficiency of the evidence; but Impey, as the presiding judge, leaned, as far as mercy may assert itself without a culpable violation of justice, towards the case of the prisoner. But the jury did not hesitate. A verdict of guilty was returned—and one without qualification. The twelve Englishmen who sate in the jury box could see no good reason to recommend the prisoner to mercy. The judges then proceeded to pass sentence. Impey, as Chief Justice, was of course the mouth-piece of the court ; but not his alone the sentence. The judges were unanimous. Even Chambers, who had objected to the manner of the indictment, did not demur to the sentence ; and sentence of death was passed. Nuncomar heard it with fortitude ; but in this there was something more than the stoic patience of his race. His confidence in the strength and constancy of the "majority" had not forsaken him. They had made large promises—vaunted their supremacy without stint—and the unhappy prisoner had relied on the genuine worth of all their

protestations. Even when he left the Supreme Court a convicted felon—condemned to the gallows—he had not yet learnt to estimate the omnipotence of the *Law*.

And we would here pause to consider the charge of inhumanity brought against Sir Elijah Impey—inhumanity, manifested in the absence of all efforts to save the unhappy prisoner,—but that his own defence of his conduct is on record; and every point of attack is fairly repelled in the annexed passage of a manuscript letter to Governor Johnstone, in the archives of the British Museum :—

" My wishes to have represented him as an object of mercy, and to have procured the extension of it to him, were, (considering the heavy task I had on my hands) give me leave to say, more strong than yours could possibly be: and I call God to witness it was my firm intention to do so, in case he should be convicted, had not the conduct of that unhappy man, and of the gentleman who possessed the powers of Government, in my opinion rendered it absolutely necessary both in support of the administration of justice and of my own honour to pursue different measures.—The fabrication of new forgeries, and the most gross perjuries during the time of his confinement, and even during the course of the trial, was an atrocious aggravation of the original offence. The eyes of the whole country were drawn to it; it was attended by men of all ranks in the service; and the principal natives in and round Calcutta, for a considerable distance flocked to it. The grossness of the forgeries and perjuries was much more striking to those who saw the witnesses and heard the vivâ voce examinations than they can be to those who read the trial, gross even as they there appear.

No explanation could have made the natives (if the Europeans had been inclined to think better of us) understand that the escape from justice, if the sentence had not been carried into execution, had not been occasioned by the artifices of the prisoner; unless, indeed, it had been attributed to corruption or timidity in the judges, or a controuling power in the Governor-General and Council. I leave it to your consideration the effect any of these opinions must have had, on the institution of a new court of justice, among inhabitants whom the weight and terror of their oppressions have enslaved, bowed, and depraved, that the most intolerable injuries can not rouse them to sufficient confidence to look up to the purest and firmest tribunal. This consideration had certainly great influence on my mind. Corruption in this country has no doubt been in all courts of justice a most efficacious instrument. The natives have thought it and with reason, infallible and omnipotent..... Had this criminal escaped, no force of argument, no future experience would have prevailed on a single native to believe that the judges had not weighed gold against justice, and that it would ever preponderate. In India it was universally believed that large sums were offered to the judges and perhaps a rumour of the kind may have reached England. When the charges were first exhibited against the Rajah, those who ought to have used their authority to strengthen, employed it to weaken and insult the administration of justice, to overawe and even to threaten the judges. Not only public compliments, such as were never received by natives of a rank much above his from Europeans were paid to him, but the prison was converted into a Durbar. Ladies of the first rank condescended to send public condolences; those who meant to pay court knew they did it more effectually by an attendance at

the gaol, than at the breakfasts and levies of their patrons. Aides-de-camps and secretaries paid daily visits, and publicly repeated assurances of safety and protection. These assurances made too great an impression on the unhappy man; they gave him and his dependants a security and insolence ill-suited to his circumstances; they gave out that the judges dare not execute the sentence. To this he was too much encouraged by those in power here and influence at home. The Governor-General and Council interfered in the process, claimed a power to protect, examined the officers of justice, and attempted to over-rule the proceedings of the judges, and some of the members of that board openly threatened to procure the dismission of these judges, if they did not relax their sentence. It was afterwards confidently asserted by one member, that he had effected the dismission of those judges, who were most obnoxious to him, and that it would be brought out by the ships of the season. Besides what was open, many private intrigues and insinuations were put on foot to prejudice the opinion of the public, both with regard to the institution of the court and the character of the judges.....I am sure you will give me credit for sufficient common sense to prevent me from flattering myself that the measure was likely to be either popular or serviceable to me in England. .....I knew the relations of what part here would be accompanied by partial representations, false colorings and even false facts and direct accusations. A paper was introduced into Council here intended to be recorded as an accusation personally against me, but the person who presented it after a little consideration did not dare to persist in his first intention. He changed it and himself moved, that it should be burnt by the hands of the hangman, and it was burnt accordingly. I knew the power and weight in England that gentleman possessed..... I trust that you will give credit to the acuteness of my sensations, when I found myself inevitably urged to carry into execution a sentence against a prisoner, whom, taking into consideration his original crime only, I most ardently desired to have saved, and would have done it, even under the aggravated circumstances, had it been reconcileable to the sense I had of the trust committed to my care. I had great reason to believe that I wished more to save him than those who promised him protection. I suffered much by the necessity I was under, perhaps as much as the convict himself, but I had a public character to support, in which a numerous people here was interested, and therefore of more consequence than my reputation in England, where I am but an obscure man and could only be individually affected. I had the dignity, integrity, independence and utility of that court to maintain, which I enthusiastically labored to make a blessing to the country. To produce that effect I knew it to be absolutely necessary to convince the natives that it was superior to imposition, corruption, influence or controul. I thought I did my duty and therefore determined to sacrifice my feelings and abide every consequence. Had I taken the part those feelings strongly biassed me to, I had the fullest assurances that that influence which was held forth as a terror to me, and which in truth, I had reason to dread, would have been exerted to its utmost extent to my benefit."

All this and much more may be found, clearly stated in Sir Elijah's printed defence; but, perhaps, the substance of the argument has never been put forth in more succinct and yet more lucid language, than in this extract from an unpublished letter, without date, in the Impey collection. The letter was written from India, long before Sir Elijah could have enter-

tained any reasonable apprehension that the conviction and execution of Nuncomar would have formed the principal article of a great parliamentary impeachment of his conduct on the bench at Calcutta. It is remarkable that in the above extract, the interference of the Governor-General and Council is spoken, as though Hastings and the "majority" had co-operated in an endeavour to save Nuncomar. And it is worthy of remark, that Impey appears at this time, to have entertained a mistaken impression of the course pursued by Clavering and Francis in Council, relative to the introduction of the paper, which was burnt by the hands of the hangman—the libellous petition of Nuncomar to which we shall presently allude.

The Maharajah—now a convicted felon, under sentence of death—was sent back to the common gaol. No man lifted a voice to save him. Europeans and natives, all were equally silent.* Even the family of the convict gave no sign, perhaps they relied on the power of the majority. It was a broken reed; and they were betrayed.

A petition, however, was addressed to the Council. It came from Nuncomar himself. On the 4th of August it was left at the private residence of General Clavering. It was opened on the 6th. On the 5th Nuncomar was hanged.

Up to the very day of his execution it appears that the unhappy man, relying upon the influence of Clavering and Monson, was confident that the sentence of the law would not be carried into effect. These gentlemen sent frequent messages to him; but the more cautious Francis appears to have been silent and inactive. Much, it would seem, was said—much promised—but nothing was done. The majority if they talked about rescuing Nuncomar, resorted to the strangest method of doing it. Clavering, who, according to Mr. Macaulay, vowed that he would save the Maharajah at the foot of the gallows, would not open a letter he received from Nuncomar, because he thought it "might contain some request that he should take steps to intercede for him."

And so Nuncomar was hanged.—Of the memorable scene of the great native's execution a vivid picture is extant. It was said to have been drawn on the very day of the event by Mr. Macrabie, the Sheriff; but no body had the good fortune to see it until twelve years after the Maharajah had expiated his

* So Mr. Impey—and so Sir Elijah in his defence; but it would appear from the Appendix of the Report of the Select Committee of 1781, that a letter was sent to Impey by the Nawab of Múrshedabad, the precise nature of which is only to be inferred. Sir Gilbert Elliot declared that petitions had been sent in by the Nawab and others.

guilt upon the gallows. Like the manuscript of *Dictys Cretensis*, after long inhumation, it was cast up by an earthquake. A great political convulsion brought the long buried document to light; and Sir Gilbert Elliot hurled it, with terrible vehemence, at the head of the Chief Justice.

In this remarkable paper, of which Mr. Macaulay has made such effective use, the fortitude of Nuncomar—the grief of his relatives—the consternation of the natives—the gathering of the multitude on the great plain—their incredulity before the execution—their horror when the drop descended—the tumultuous rush of the howling crowd towards the river, to wash away the guilt of having witnessed so terrible an impiety,—all are described with graphic minuteness of detail. The description must be received with caution. It is a suspicious circumstance that so interesting and important a document, if drawn up at the time of the execution, should have remained for twelve years, in utter obscurity; and perhaps, it is a still more suspicious circumstance that the writer of this long-buried document was the brother-in-law of Philip Francis.

On the 14th of August the Council met and went into the Secret Department. General Clavering then stated, that on the 4th a paper in the Persian language had been brought to his house open, by a servant of Nuncomar. "As I imagined," said the General, "that the paper might contain some request that I should take some steps to intercede for him, and being resolved not to make any application whatever in his favour, I left the paper on my table until the 6th, which was the day after his execution, when I ordered it to be translated by my interpreter. As it appears to me that paper contains several circumstances, which it may be proper for the Court of Directors and His Majesty's ministers to be acquainted with, I have brought it with me here and desire that the board will instruct me what I have to do with it: the title of it is 'a representation from Maharajah Nuncomar to the General and Gentlemen of Council.'" Upon this Francis moved that the paper should be laid before the Board. Barwell then said, that he could not understand how a question could arise regarding it. The paper, having been addressed to the Council, ought of course to be laid on the Council-table. After some explanation from the General, Colonel Monson expressed his opinion that the paper should be laid before the Board; the Governor-General then declared his inability to understand the air of mystery which enveloped so very obvious a matter; and it was finally "resolved that the paper delivered by the servant of Nuncomar to General Clavering be produced and read." It was accordingly read, in

the translation of the General's interpreter; but was subsequently, it would appear, sent back for revised translation, and on the 16th was produced again, and read in the Secret Department.

It then appeared that the petition was addressed, not to the General and the Gentlemen of Council; but to the Governor-General and Council in the usual form. The petition set forth his case, in no very striking terms, adding, "Lord Impey 'and the other judges have tried me by the English laws, which 'are contrary to the customs of this country, in which there was 'never any such administration of justice before; and taking 'the evidence of my enemies* in proof of my crime have con-'demned me to death. But by my death, the King's justice will 'let the actions of no person remain concealed; and now 'that the hour of death approaches, I shall not for the sake of 'this world, be regardless of the next, but represent the truth 'to the gentlemen of the Council. The forgery of the bond 'of which I am accused never proceeded from me. Many 'principal people of this country, who are acquainted with my 'honesty, frequently requested of the judges to suspend my 'execution till the King's pleasure should be known, but this 'they refused and unjustly take away my life. For God's 'sake, gentlemen of the Council, you who are just, and 'whose words are truth, let me not undergo this injury but 'wait the King's pleasure. If I am unjustly put to death, 'I will, with my family, demand justice in the next life. 'They put me to death out of enmity, and from partiality 'to the gentlemen who have betrayed their trust: and in this 'case the thread of life being cut, I, in my last moment again 'request that you, gentlemen, will write my case particularly 'to the just King of England. I suffer, but my innocence 'will certainly be made known to him."*

The paper having been read, Hastings moved that a copy of it should be sent to the judges of the Supreme Court. To this Francis objected, saying, that he "considered the insinuations contained in it against them (the judges) as wholly unsupported and of a libellous nature;" and he, therefore, proposed that "orders should be given to the sheriff, to cause the

* The judges applied to the Council for a copy of this document; and were told that it was *impossible* to furnish them with a copy, "having ordered the original and translations to be destroyed and no copy to be kept." In this same letter, Hastings and the other Members of Council beg to be informed "from whom you (the judges) received the imputed information which appears to have been conveyed to you, on this and other occasions, of the proceedings of this Board in our Secret Department." No man was more competent to supply the answer than Hastings himself.

original to be burned publicly by the hands of the common hangman." And by the hands of the common hangman Nuncomar's petition was burnt, as an atrocious libel on the judges of the Supreme Court. Many years afterwards, Francis, staggered by a reference to this circumstance, asserted that the document was libellous, not because it reflected upon Sir Elijah Impey, but because it equally condemned the conduct of the other judges. The lie was as transparent as it was malicious.

But although Francis had proposed that the libel should be burnt by the common hangman, and Clavering had openly declared that he could not bring himself to read it before Nuncomar was hanged, the majority very soon began to repeat, in numberless letters to England, the substance of the libel; and to enter, in official minutes forwarded to the India House, condemnatory remarks of a similar tendency. In the following January, Impey, writing Mr. Smith, on the subject of the appointment of an Advocate-General, remarked :—

"You will see me most egregiously abused. The treatment I have met with from the moment I landed is most injurious, to a degree, that can hardly be credited. I don't think your mind is prepared to receive the worst impressions of my humanity or integrity. Do not believe declamatory abuse. Let facts and arguments be alluded to and I shall stand fair with every honest and candid man."*

And again, writing to Thurlow, under the same date, he says :—

"Dear Thurlow; by the *Godfrey*, I have despatched to Lord Rockford remarks and answers to some virulent charges made upon the judges in minutes dated 15th of September, and 21st of November, by General C., Colonel M., and Mr. F., and which have been long since sent to the India [House]. They were meant to be secret, and it was but this week that I had intelligence of them, when Mr. Hastings communicated them to me, under an oath of secrecy, that I would not disclose the contents in Calcutta. I wrote to you before that I suspected that secret attacks were made on me. I had no suspicion of the malignancy of them. I fear that as there has been no possibility of answering them before, they may have made a bad impression in England. I must beseech you to suspend your judgment till the facts can be examined, and the answers and proofs, which I have sent up can be read .... I do most solemnly assure (you) that I have to the best of my ability assisted in every instance, though the gentlemen complain of the Court's giving opposition to Government. The hauteur, insolence, and superior air of authority which the new members of the council use to the Court may be partly discernible in the style of their minutes; but on the spot they maintain no colour of decency. My conduct to them has been absolutely the reverse; and I believe they are the more angry with me for it."†

* Unpublished MSS. letters in the British Museum.

† Unpublished correspondence in the British Museum.

The judges had taken the precaution of sending home a complete report of Nuncomar's trial. Alexander Elliot, a young civilian of high promise, an intimate friend of the Chief Justice—he, whose early death Hastings subsequently deplored in the well known Horatian he addressed to Mr. Shore,* was entrusted with this authenticated version of the judicial proceedings. All the four judges had appended their names to a document authorising the publication of this report; Elliot was, morever, the bearer of numerous letters to the friends of the Chief Justice and his associates. He had interpreted, throughout the trial; and, perhaps, there was not in the whole country a man better qualified to afford the fullest possible information regarding all the circumstances of this memorable event. To him Impey entrusted his reputation; and it could not have been in better keeping. Strange that we should have to add, that the Sir Gilbert Elliot, who moved the articles of impeachment against Impey—the most venomous of all the assailants of the Chief Justice—was the brother of that young man.

"This version of the trial," writes Mr. Impey, "was drawn 'up by Samuel Tolfrey (the under sheriff) by the order of 'all the judges, and with the assistance of three of them. 'The materials for it consisted of notes taken by the sheriff 'and by the under sheriff; by *the counsel for* the prisoner; 'and by Mr. Elliot, who had acted as interpreter; by the 'judges and by one or two other parties. *All* the judges 'at different times looked over the trial, whilst Tolfrey was 'writing; when it was finished it was sent round to the judges; 'and the authority for publishing was signed by all." Some years afterwards that Mackintosh, of whom we have spoken in a former paper,† declared in his travels in *Europe, Asia, and Africa,* that "the trial published in England is universally declared on this side to be spurious and false."—A statement which is very much on a par with other statements, affecting the characters of Hastings and Impey in that veracious work.

Mr. Impey asserts that no such person as Mackintosh was ever heard of, and Mr. Macfarlane, in his *Indian Empire,* has hazarded a similar opinion. It is surmised that Francis was

* An early death was Elliot's doom;
I saw his opening virtues bloom,
And manly sense unfold,
Too soon to fade! I bade the stone
Record his name midst hordes unknown,
Unknowing what it told.

† Calcutta Review, No. IV. Art. Sir P. Francis.

the real author of the book. Now Mackintosh was quite as real, though not as distinguished a personage, as Francis, and abundant mention of him, his character, his appearance, his sayings and his doings may be found in the pamphlets of the day.* Some anecdotes of the man have already been recorded in the pages of this journal. Mackintosh was a tool of Francis; but he was not Francis himself—*alter et idem;* Junius in disguise. His book, indeed, is in no wise worthy of the honor of such putative paternity. It is a very dull affair. We confess that we expected to find in it much more cleverness and pungency. The personalities are neither very numerous, nor very stinging. It has scarcely the air of a book written for a political purpose.

There are, however, occasional passages, in the *Travels*, venomous enough to be attributed to Francis, and of these the most vigorous are condemnatory of the conduct of Impey, Hyde, and Le Maistre. The following is, perhaps, the most remarkable:—

"Corruption hath usurped the sacred seat of justice, and, shielded by the power of a venal government, hath held quiet possession of this station for six lingering years, without even the veil of hypocrisy to shade the horrors of oppression and savage violence. Here, however, I might joyfully remark a single exception, in the soul of Sir Robert Chambers, had nature, extending to this amiable person her kind liberality, fortified his virtue with resolution to withstand magisterial frowns and supercilious arrogance. The mind overwhelmed with a confusion of cruel, iniquitous and violent decisions and executions is incapable of arranging the various ideas that occur upon this subject of horror..... Let the protectors of such men demonstrate their disappointment and concern at their conduct by yielding them up as sacrifices to that justice, which they have so heinously offended."—The writer goes on to declare that the offences of the judges "cry aloud for examples of just vengeance upon the spot where the abominable deeds were perpetrated;" and as a proof of "the rapacity of the court he alleges that the fees of processes and writs issuing from the Supreme Court have amounted annually to the enormous sum of £426,000."

It is not impossible that Francis may have thrown in a few touches here and there with his bold masterly hand—but the main stock of the work is obviously the production of the swarthy creole.

Impey, it will have been seen, soon found that the chief seat in the Supreme Court was not a bed of roses. Every month seemed to add something to the perplexities which worried him. It was barely possible that even with the best understanding between the council and the court, no inconvenience should

* Especially in those of Captain Price. Mr. Impey speaks of Price's single pamphlet. But the sea-captain was a very prolific scribe—he must have written a dozen pamphlets.

have resulted from the exercise of the powers of the latter. The application of a new and mighty machinery to a condition of society in no wise adapted to it, must, under any combination of circumstances, have thrown the country into a state of disorder, but with the supreme legal authority at open war with the Supreme Government, it is difficult to conceive a more embarrassing and more disastrous concurrence of events. Writing as we are a memoir not of the law, but of the judge, it would be beside our present purpose to enlarge upon the characteristics of the former. It will be sufficient, on this occasion to observe, that the Supreme Court of Calcutta was established for the especial protection of the natives of India against the presumed rapacity and oppression of the Company's servants. It is probable that,—as Francis and the other members of the new council sailed for India with very exaggerated ideas of the oppressive character of the Indian Government—of the general corruption which had been eating its way along the whole length and breadth of the country,—the judges also may (for it was a popular belief) have somewhat magnified the evil influence of the Company's Courts, and looked upon themselves too confidently as the saviours and deliverers of the country. Relying, without any misgivings, on the salutary effects of that "perfection of human reason," the English law, and knowing little or nothing of the peculiar prejudices of the people of India—their religion, their institutions, their laws of caste, their customs and ceremonies—they seem to have overlooked the fact that an instrument of protection may, unfitly applied, become an instrument of oppression. That the establishment of the Supreme Court did not bring with it the blessings, with which it was intended to be laden, we may readily admit, without casting any heavy slurs upon the character of the Chief Justice and his judicial brethren. The problem to be solved was the most difficult of all difficult problems. There is no doubt that the state of things before the passing of the Regulating Act was sufficiently bad; that the law required radical reform; that justice had, in many instances, been set at naught most flagrantly; and that the people of India had really no remedy against the oppressions to which they were subject. But it might have puzzled even a greater lawyer than Elijah Impey—a greater statesman than Warren Hastings—greater lawyers and statesmen than those in England, who had been concerned in the framing of the Regulating Act—to determine how to render the English law a blessing to the natives of India. "The Company's Treasury," wrote Impey in 1776, "is full, but the country is depopulated. The ryots are

'leaving their lands and flocks; and turning fakeers or entering among the banditti. Everything has been undone by the present rulers; and nothing substituted." That Impey was impressed with the conviction that the Supreme Court would, in process of time, remedy much of this evil, we confidently believe. It was not unnatural that he should have relied on the efficacy of the English law; nor have we any reason to doubt the sincerity of his convictions.

But Impey, though imbued with strong faith in the general excellence of the English law, could not but see the defects inherent in the constitution of the new court. The Regulating Act had been framed in a most slovenly manner; the powers of the Supreme Court were not distinctly defined; and it was liable, therefore, every day to find, that the legality of its acts was openly questioned. That Impey was not only willing, but anxious to have these defects formally remedied by the British legislature is a matter of fact, not of conjecture. He wrote, by almost every ship, urgent letters to the most eminent English lawyers—to Lord Chancellor Bathurst, to Thurlow, to Dunning; and sometimes to the minister, Lord North. Hastings too, bore frequent testimony to the moderation, the sound sense, and the good intentions of the Chief Justice. "I assure you," he wrote to Sullivan in March 1776, "that it is scarcely possible to have acted with more moderation or caution than Sir Elijah has observed in all cases in which the ordinary process of the Supreme Court was likely to affect the collection and management of the public revenue. Indeed, the other judges merit the same testimony in their favor. Had a cordial understanding subsisted between the Court and the Council, much of the inconvenience that has arisen from the writs of the Court would have been avoided nor would the revenue have been in the least affected by them; but it *seems to have been a maxim of the board to force the court into extremities for the purpose of finding fault with it.* Yet, in many cases, the acts of the court have been and must continue to be, the unavoidable cause of embarrassment. This is owing to a defect in its constitution. By the limitation of its powers it must ever remain a doubt what is the extent of them, as every man in the provinces is in reality subjected to the authority of the Company. If it was constituted to protect the people from oppression that design would be entirely frustrated, were the board at liberty to employ agents who should be exempt from its authority; and *you will have seen many instances in the papers which I have sent home of the most glaring acts of oppression committed by the board, which would have*

'*produced the ruin of the parties over whom they were exercised but for the protection of the court.* Great complaints have been made of Zemindars and others, who are not liable to the jurisdiction of the Court by the plain construction of the act, having been arrested and some thrown into prison by its warrants. But no attention has been paid to the necessity which there is of bringing the persons who are even excluded by the act from the jurisdiction of the Court in the same way before it to establish their exemption. They may plead to its jurisdiction, and obtain their discharge; but till this is done, I can not see how it is possible to make the distinction; for if every man, who declared himself to be no British subject nor employed by any, *was in virtue of his own declaration to be exempted from their authority, all men would make the plea* ..... The truth is that a thing done by halves is worse done than if it were not done at all. The powers of the Court must be universal, or it would be better to repeal them altogether..... I hope that my plan will be found to provide the most effectual relief against all the imperfections of the Act as it now stands. On the one hand, it proposes to give to the Supreme Court an unlimited (but not exclusive) authority over all, and on the other, it provides for the administration of justice in all cases to which its jurisdiction can not conveniently extend, without the danger of a competition with it. In this coalition of the British judicature with the Dewanny, the latter will obtain a more steady and confirmed authority than it has ever yet possessed, and being open to the daily inspection and controul of the judges, the Dewanny courts will acquire a more regular and legal form than they could have if left to themselves."—*(Gleig's Hastings.)* This new scheme, the heads of which were laid down by Hastings, was put into legal shape by Impey; and sent to England for the adoption of his Majesty's Government.* It shared the fate of many other propositions for the better Government of our Indian territories. It was quietly shelved; and there left for the dust to accumu-

* Writing, a few months afterwards, Hastings observed, "I grieve that the Chief Justice's Bill did not go home eighteen months ago. My diffidence of my own ability on a subject so remote from all my occupations, deterred me from attempting any thing of the kind; and I found when I seriously pressed Sir Elijah on the subject, that he was withheld from it by the want of local experience, and had expected me to form the plan of a judicial establishment for the whole country. How we missed the knowledge of each other's sentiments on such a subject, and with a daily communication I know not; as soon as I knew his, I instantly set about it. My plan was written on the eve of the close of one packet, and his Bill, for similar causes and from sickness, was began and finished during the dispatch of another."

late upon it. Lord North thought that he had done enough in sending out the new councillors and the new judges, and having plunged the settlement in civil discord, he thought it best to leave the combatants to fight it out in their own way.

The private letter from the Governor-General which we have quoted above, is marked by his characteristic good sense, and is written in a conciliatory spirit. He did not always express himself with equal moderation and candour, when writing official minutes on the subject of the proceedings of the Supreme Court. Indeed, in the prosecution of the present enquiry, the conviction has been forced upon us that the character of Hastings is fairly chargeable with extreme duplicity. Some allowance must be made for the embarrasments of his position; he may have felt that perpetual antagonism to the Council, whilst distressing to himself, was injurious to the interests of the state, and may therefore some times have put his name to letters and resolutions, which had not received his cordial approbation; but, whatever may have been the cause, we find it difficult to reconcile the conflicting expressions which from time to time present themselves in the course of such an investigation as this; and are forced, therefore, into the utterance of an opinion that candour and single-mindedness were not elements in the character of Warren Hastings.

But whilst allowing all possible weight to the mitigating circumstances set forth by the Governor-General, it is impossible to close one's eyes against the conviction that the operations of the Supreme Court were often attended with violence and injustice—that outrages were committed on individuals, and that the affairs of Government were obstructed by improper unauthorised judicial interference. It may not be strictly true that "a reign of terror began;" but there is no doubt that many very unrighteous acts were committed in the name of the Supreme Court. Seventy years have passed away since the time of which we are now writing; and still do the understrappers of the law, whether in the employ of the Queen's or the Company's courts, commit inconceivable outrages in the name of public justice. Alas! For our magistrates and judges, if they were answerable for all the iniquities committed by the Police!

That the myrmidons of the Supreme Court committed excesses for which there is no justification it is impossible to deny. The vivid sketch of the "reign of terror," under the new judicial system, a sketch which forms one of the most striking passages in Mr. Macaulay's glowing article, is, doubtless, in the

recollection of our readers. That passage is founded upon undeniable fact; but it is excessively over-charged. The rhetoric overlays the truth. The article throughout resembles the brilliant address of a prosecuting counsel, not the dispassionate summing-up of a judge. The extreme cases spoken of, as of frequent occurrence, were not many but few; and even these few cases stript of all adventitious aids of strong language and passionate appeals to the imagination, and reduced to the sober guise of matter-of-fact evidence, wear a very different aspect from that which they assume in Mr. Macaulay's *Historical* Essays.

It would occupy too much of our space if we were to enter minutely into the merits even of those few cases, which were brought prominently to the notice of the public; and which really created some sensation in Bengal. But to one or two of these we may briefly allude. The well-known "Patna cause" presents itself first for notice; and it is one of so complicated a nature that we may well despair of being able to lay before our readers, in a small space, such an abstract as will enable them to comprehend it in all its bearings. There was a Mussulman adventurer, named Shah-baz Khan, who came from Kabul to seek his fortune in Hindustan. Like most of his race he was an expert horseman and a good soldier; and after a while he obtained service from the British Government as commander of a body of Horse. He was recommended, it would appear, by Mr. Watts; and cast no discredit upon his patron. At the close of the war with Kassim Ali, having obtained some wealth in the service, and received a grant of land in Behar from the Mogul, he retired from active life and settled down quietly at Patna. There he married a young wife; but begat no children—a circumstance which his needy relatives were not long in turning to good account. A nephew came down to Patna to comfort the old man; and was soon duly installed as his adopted son. In due course, the veteran died; and there was a disputed inheritance. The widow, Nadarah Begum, claimed the proceeds of his estate; and Bahadur Beg, the nephew, asserted his right to the whole. The young man lost no time in sending in a petition to the Patna Council, and the case was referred to the Mahommedan law officers, who were directed to take an inventory of the goods of the deceased, for it was alleged that the Begum, who was in possession, was secreting and carrying off the money and other valuables. This was accordingly done. The kazi and muftis went to the Begum's residence; and, after some slight resistance upon her part, proceeded to carry out the direc-

tions of the Council—the widow, whilst the process was going on, having moved out of her accustomed apartments into another part of the house. Having taken the inventory, the law officers proceeded to investigate the respective claims of the two parties to the inheritance. In behalf of the widow, it was alleged, that the property had been made over to her by Shah-baz Khan, and a deed of gift, to this effect, was produced. The nephew on the other hand, alleged that this was a forged instrument; and claimed the estate as adopted son and heir at law. The kazi and muftis, after examining several witnesses, declared their opinion that the deeds produced by the Begum's vakíl were spurious; and accordingly decided that the widow should receive a fourth of the estate, and that Bahadur Beg should possess himself of the residue. This decision was confirmed by the Patna Council; and the Mahommedan law officers proceeded to the house of the late Shah-baz Khan to divide his effects in accordance with this decree. On this the Begum, in great dudgeon, quitted the house; took up her abode in a nest of Fakírs, situated in another part of the town; and refused to take possession of the property which had been legally assigned to her.

After some months, it occurred, or was suggested to the Begum that she might obtain redress from the Supreme Court. She had obstinately refused compliance with the orders of the Patna council; and accordingly a guard of sepoys had been placed over her, for she had carried off with her all the slave-girls and the title-deeds of her husband's estates. The armed force had no effect upon her and it was withdrawn. The Begum then set off for Calcutta.

Then she brought an action in the Supreme Court against Bahadur Beg, the kazi and the muftis, for assault and battery, trespass, and false imprisonment—alleging that she had been grossly injured and insulted—and laying her damages at six lakhs of sicca rupees.*

Bahadur Beg pleaded that he was out of the jurisdiction of the Supreme Court, and that he was "not guilty." The Mussalman law officers pleaded generally "not guilty." The former alleged that he was in no wise, directly or indirectly in the employment of the Company; but the plea was overruled on the score that he was the farmer of certain lands held under the British Government. It is true that he was not avowedly the farmer of the district; but only security for

* Mr. Impey says, that Nanderah Begum commenced her action in 1779. This is either a mistake or a misprint. The action was commenced in 1777.

the ostensible and recognised farmer—a circumstance, which could scarcely by any forced construction, have brought him within the jurisdiction of the Court, had it not been alleged by certain witnesses that he was generally regarded as the *bonâ fide* farmer of the land. Public opinion, at all events, pointed to him in that capacity; and the court determined that the jurisdiction was made out. The attempted justification was not more successful. Bahadur Beg set forth that he was only a suitor in the Patna Court, and the law officers that they acted in accordance with the instructions of higher authority; but both pleas were set aside.

An European bailiff—one Savrey by name—was accordingly sent to Patna, to arrest the parties accused. This officer was, it appears, instructed not to receive bail under an amount of four lakhs of rupees. On the 13th of December 1777, Bahadur Beg and the kazi were arrested in the public streets. The latter, an old man of three score, was on his way home from cutcherry, in a palanquin, attended by the officers of his court. The indignity offered to the person of a public servant of such high rank seems to have astounded the Patna council. They met, deliberated, and finally resolved to bail the kazi. He, and Bahadur Khan, had been put on board a boat, in close arrest; and the bailiff declared his inability to accept bail for one prisoner, without the terms of the recognisances including all the rest. He, however, consented to refer the case to the judges; and the issue was, that, on the 29th of December, the case having also been referred by the Patna Board to the Governor-General and Council, bail was accepted for the whole party and the two prisoners were released.

Bahadur Beg was soon afterwards sent down to Calcutta to surrender to his bail; but there the government bailed him again, and he was sent back to Patna in the month of July, there to await the issue of the trial. The case did not come on for adjudication before the beginning of the year 1779. The proceedings lasted for several days; and on the 3d of February, judgment was given. The defendants were cast in damages to the amount of 3,00,000 sicca rupees; with 9,000 rupees costs. The kazi's salary was a *hundred* rupees a month, that of each of the muftis about *twenty-five*.

Judgment having been given, the defendants were sent down to Calcutta, to surrender. The kazi died upon the way.* Bahadur Beg and the two muftis, not so fortunate,

* It is to this, perhaps, that Mr. Macaulay alludes, when he says, that "there were instances, in which men of the most venerable dignity, persecuted without a cause by extortioners, died of rage and shame in the gripe of the vile alguazils of Impey."

were cast into the common gaol of Calcutta; and confined in a filthy, reeking dungeon, used by the prisoners as a cook-room, and turned to much viler uses.

After some time the prisoners, at the instigation of Sir John D'Oyly, were removed to more endurable apartments; and there they remained—for about the space of two years. Bahadur Beg, in the course of the autumn of 1779, sent in a memorial, which was referred to the Advocate-General, Sir John Day, who undertook with the permission of the Governor-General and Council, to afford the prisoners all the legal assistance in his power towards obtaining constitutional redress. The result was that there was an appeal to the Privy Council; the "Patna cause," with others were investigated by a Parliamentary committee, on the receipt of the memorial of the British inhabitants, generally known as Touchet's petition, and the prisoners were ordered to be released;* it is from the report of this committee, with its numerous appendices that we have drawn up this abstract of the case. Nine years elapsed before the appeal was heard in Privy Council; and then it was dismissed. The case formed the second article of the Impeachment against Impey, in 1787; but was never brought on to a hearing. The proceedings were quashed after the production of the Nuncomar charge.

The friends of Sir Elijah Impey have reason to regret that he had not an opportunity of vindicating himself against *all* the calumnies cast upon him. The Patna case appears, *prima facie*, to indicate considerable harshness, to say the least, on the part of the judges of the Supreme Court. Bahadur Beg seems to have been brought, by a very forced construction within the jurisdiction of the Court, but we may not unreasonably suspect that there was something more than is apparent on the face of the Committee's Report to render him

* The muftis, it appears, were subsequently restored to their appointments. It is curious, on perusing in these days, the articles of impeachment, drawn up by Sir Gilbert Elliot, to stumble upon such passages as the following:—"That in particular, the said Impey, in endeavoring to establish the corruption of the kazi and muftis, and thereby to obtain a colorable pretence for their persecution, did state that corruption was the necessary consequence of poverty, declaring that it was not surprising that they should be mean, weak ignorant and corrupt, when the salary of the principal Judge does not exceed 100 Rupees a month. That the said principle (continued Elliot) is false, scandalous, and immoral, highly disgraceful in the lips of a British judge, and highly dangerous to that stability and purity of character which is absolutely necessary to the adequate performance of the duties of his high office." This false, scandalous, and immoral principle, has since been universally recognised by men of all degrees from the sovereign downwards; and is now beginning to be acted upon. When Bishop Corrie, on his consecration, went to kiss the King's hands, His Majesty (William IV.) told him that he did not like to hear so much about the reduction of salaries of the Company's servants, as he was afraid that if their incomes were reduced a new reign of corruption would commence.

amenable to the English law. An autograph note, in Sir Elijah Impey's copy of this Report, now before us, states that Bahadur Beg was brought within the jurisdiction of the Court, *not because he was a farmer of land, but because he was a farmer of revenue.* The law officers, there is little reason to doubt, greatly exceeded their authority ; and were guilty of excesses, for which there was no justification. But far greater excesses were committed by the officers of the Supreme Court; and, under any circumstances, it may be questioned whether a sentence tantamount to imprisonment for life (for it was totally impossible for the muftis, whose joint salaries had not exceeded fifty rupees a month, to pay such exorbitant damages) was not out of all proportion to the offence. That Impey himself was confident in the justice of the Court's decision, we believe. On receiving the report of the Parliamentary Committee, he wrote to Dunning and others:—"In the report, appendix, &c., I see many things I never heard of before; many things which excite my ridicule as well as indignation. *That the Patna cause should, by any temper, be turned against the Court astonishes me. It is sufficient to damp the zeal of any man.*" * That the committee, the list of which includes the names of Burke, Sir Gilbert Elliot, Mr. Farrer (who had been Nuncomar's counsel) and others, who were certainly not prejudiced in favor of the judges, drew up a report not distinguished by any extraordinary amount of candour and impartiality, is obvious on the very face of the proceedings; but we regret that no detailed defence is on record, and that even Mr. Impey, in his memoir of the Chief Justice, is not quite as full and satisfactory in his explanations as we could desire.

Upon the "Dacca Case," though one of more general interest, we do not purpose to enlarge. Sir Elijah Impey was not held responsible for the outrages which attended it. He was absent from his duties, on account of ill health, at the time that it occurred, and the official documents connected with it, for the most part, bear the signature of Mr. Justice Hyde. The case is briefly this:—In the autumn of 1777, a writ was issued for the arrest of one Juggernat, dewan of the Principal Fouzdar of the Dacca Court, to whose house Mr. Peat, the sheriff, with his *posse comitatus* proceeded in force. The gateway was broken down, and there was a serious affray, in the course of which the father of the Fouzdar was wounded on the head by a blow from a tulwar, and his brother-in-law dangerously injured by a pistol discharged by Mr. Peat himself.

* Impey's Memoirs, page 315.

These proceedings appear to have thrown the affairs of the whole province into disorder. Mr. Peat himself was in such danger that he applied for the protection of a military force; and a guard was accordingly placed over his house. The excitement, which prevailed in the neighbourhood, was almost unprecedented; and the administration of justice seems to have been for sometime at a stand-still,—so great was the alarm occasioned by this attack, *vi et armis*, on the principal officers of the provincial court. That Mr. Peat, the deputy sheriff—a young hot-headed attorney, clerk to Mr. Justice Hyde, was guilty of great indiscretion; that unjustifiable acts of violence were committed; and that the province was thrown into great disorder by these unwarrantable proceedings, we see no reason to question; but it has not been alleged by the enemies of Sir Elijah Impey that he was responsible for these outrages. We may, therefore, pass them by without further comment.

The "Cossijurah Cause" is more immediately mixed up with the career of Sir Elijah Impey. In this case the Supreme Council and the Supreme Court were brought into open collision. The spectacle, which presented itself was a most unseemly one. The Government were driven to resort to measures, which they confessed to be illegal; and in a short time, the Company's troops were actually waging war against those of the sheriff. The case is one of considerable interest. There was a native merchant in Calcutta, one Cossinath Babú, who had managed the Zemindary of the Rajah of Cossijurah in the district of Midnapore, and stood security for the payments of the rents accruing to Government: some of these payments having fallen into arrears, Cossinath was arrested and confined, under orders from the Governor-General and Council; upon which an application for a writ of Habeas Corpus was applied for to the Supreme Court and obtained, but on account of some informality it could not take immediate effect. Cossinath, however, was released by the consent of Government, on his undertaking to make good the balance against him, if the final settlement were not in his favor, and eventually depositing the amount. This took place in 1777. Two years passed away, and the matter still remained unsettled. At last Cossinath weary of the delay, applied for an immediate decision of the matter in dispute. The case was referred to the superintendent of Kalsa records, but whilst it was still under investigation, Cossinath brought it before another tribunal, by flinging himself into the arms of the Supreme Court.

In August 1779, he commenced a suit against the Rajah of Cossijurah; Mr. Justice Hyde received the Babú's affidavit

and issued a writ of Capias for the apprehension of the Rajah. The sheriff was authorised to take bail; but it was not to fall short of three lakhs of rupees. The writ went forth. The Zemindar concealed himself. The Collector of Midnapore wrote immediately to the Governor-General and Council asking for instructions. The Board referred the matter to Sir John Day, the Advocate General, who declared his opinion, that under the extraordinary circumstances of the case, the Government would be justified in sanctioning a resistance of the process of the Court. Upon this the Board wrote at once to the Collector that the Rajah was out of the jurisdiction of the Court, and desiring him in no wise to recognise its authority. At the same time the Collector was ordered not to call out the military without further instructions.

Those instructions, however, were soon issued. The first writ having been returned as unexecuted, on account of the concealment of the Rajah, a second writ was issued by Mr. Justice Hyde, ordering the sequestration of his lands and effects. Determined not to be baulked this time, the Sheriff mustered a strong force of peons,—increasing the levy by getting together a party of those private sepoys, whom, armed and accoutred after the fashion of the Company's troops, we may even now see posted at the gates of some of the principal native houses in the neighbourhood of Calcutta,—and still further increased his force by picking out of the gullys and bazaars, the punch-houses and the brothels, all the dissolute, discharged seamen to be found adrift in the town. This levy of desperate men, the Babú took care to arm with musquets, and bayonets and tulwars; and thus equipped the Sheriff's army set out for Midnapore. The Council being apprized of their march, lost no time in issuing orders for the preparation of an antagonist force. A letter was dispatched to Colonel Auchmuty, commanding at Midnapore, stating all the circumstances of the case, and ordering him to detach a sufficient force to intercept the Sheriff's party, apprehend them, and keep them in custody till further orders.

But before the military could seize their prey, the Sheriff's *posse comitatus*—a vile and disorderly crew—had besieged the rajah's house, beaten his servants, seized his goods, violated the sanctity of his Zenana, defiled his place of worship and stripped the ornaments from his idol-gods. Their victory was but of brief duration. On the 3rd of December, a detachment of Company's troops, under Lieutenant Bunford, appeared in sight, and in a short time had made prisoners of about sixty of the rioters.

The next step taken by the Government was a heavy blow

to the Court. On the 17th of December, the Governor-General and Council issued a proclamation to all the zemindars, chaudris and talúkdars, requiring them, as "not being (except in certain cases afterwards stated) subject to the jurisdiction of the Supreme Court, not,—in case of any summons, warrant, or other process of the said Supreme Court, being served upon them by the Sheriff or his officers,—to appear nor plead, nor do nor suffer any act which may amount on their part to a recognition of the authority of the judicature, as extending to themselves."—And so open war was declared by Government against the Supreme Court. The prisoners taken by the former were brought down to Calcutta and released; but the severity of the conflict in no degree abated. The Court, on the 18th of January, moved an attachment against the Assistant Collector of Midnapore, and against Lieut Bunford, for contempt of Court, in rescuing the house and property of the Rajah from the clutches of the law. But before the attachment was issued, the Governor-General and Council apprehending the course that would be adopted by the Court, had ordered all the parties concerned to resist the execution of any writ that might be issued, in consequence of the protection afforded by them to the person and property of the Rajah.

Nor were these the limits of the Court's daring. It was moved that rules should be made against the Governor-General, Mr. Barwell, and Mr. North Naylor, the Company's attorney.—To this the chief-justice strenuously objected. He alleged, that, as regarded the Governor-General and Mr. Barwell, it would be preposterous to grant a rule which the court could not enforce; but he ordered that there should be a rule to show cause why an attachment should not be issued against Mr. Swainston and Lieut. Bunford and Mr. Naylor; that the Governor-General and Mr. Barwell should be served with copies of the rules, and all the members of council should be called upon to assist in executing them.

But the Governor-General and Council, after again consulting the Advocate-General, determined to adhere to their original opinions, and to act in accordance with them. The Sheriff's officers had attempted to arrest Mr. Swainston and Lieutenant Bunford, but General Auchmuty had defended the cantonment too well for the law-officers to obtain ingress; and the court was again baffled. Upon this, the Sheriff officially demanded assistance from the members of Council, separately and collectively; but received no reply. Soon afterwards, Mr. North Naylor was arrested and thrown into the common gaol of Calcutta.

Early in March, Mr. Naylor was committed to prison. On the 16th he was released. In the course of the following August, he died. He was a friend and protegé of Impey, to whom he had been recommended by Dunning. The Chief Justice was greatly attached to him and deeply deplored his early death.

An attempt was subsequently made to prove that the treatment to which Naylor was subjected occasioned the illness which terminated his life. The Select Committee, in their report of 1782, state, that "Naylor's death had been in all probability, hastened, if not caused, by his sufferings under confinement." It is stated also, that he was imprisoned for *upwards of a month*, and that he died soon after his release. All this is readily disproved; but when Mr. Impey, in his memoirs of his father, endeavours to show that the Chief Justice had nothing to do with the committal of Mr. Naylor, he falls into an error, which we are sure he will be anxious, in a future edition, to correct.

"On the 1st of March," says the Biographer, "North Naylor 'was committed to prison at Calcutta, on the 16th he was 'set at liberty. From the 6th of July 1778, to the 15th 'of March, in the following year, my father was with his family at Chittagong, above three hundred and sixteen miles 'from Calcutta. He was in ill-health, and my mother brought 'to bed at that place, which will account for so long an 'absence; and during those seven months, Mr. Justice Hyde 'presided in the Supreme Court. It was Hyde, therefore, 'and not the Chief Justice, who committed Naylor to prison." We are sorry to shake the credit of such a circumstantial alibi as this. We do not doubt that what Mr. Impey asserts relative to the absence of his father from Calcutta during the time specified is strictly correct; but unfortunately it was not during that period, that the proceedings connected with the attachment of Mr. North Naylor took place. The events connected with the great Cossijurah cause, of which we have given a rapid outline above, occurred, not in 1778-79, but, in 1779-80, —a year after Sir Elijah's absence with his family at Chittagong. It was in March 1780, that North Naylor was committed. Sir Elijah Impey presided in court, and personally ordered the attachment. It was the Chief Justice who refused to accept bail. It was the Chief Justice who said:—"The court must vindicate its authority. If we accepted bail, it could be no punishment. We mean to inflict an exemplary one."—And it is added, in the minutes of the Supreme Court, "lest the Sheriff should not understand the mode of confinement on attachment, it is necessary he should understand that he must

confine his prisoner within the walls of the gaol."—These proceedings are dated 4th March, 1780. All the three judges were present—Impey, Chambers, and Hyde. Le Maistre had died more than two years before; and no successor had been appointed.

We need not pursue further the annals of this great strife, which indeed belong rather to the general history of India than to the biography of an individual. It is our conviction, that Impey sincerely believed the course he took upon this occasion was the only one that could with propriety have been taken without an utter sacrifice of the dignity and an abnegation of the powers of the Supreme Court. But we are also convinced that he permitted his conscientious desire to uphold the integrity of the court to carry him beyond the limits of common prudence; and that by straining the powers of the law to an undue extent he violated the principles of moral justice and oppressed where he sought to protect. It is true that much of the evil which arose from the execution of the orders of the court resulted directly from the inefficiency of the tools, which he was compelled to employ; but it must, at the same time, be acknowledged that it was the great mistake of Impey's judicial life, that he did not sufficiently bear in mind the danger of working with such tools. It does not seem to have occurred to him, that the authority of the law, however excellent in itself, is the most dangerous of all dangerous weapons, in the hands of the vicious or the weak. It would be hard to render a Chief Justice responsible, for the excesses committed by a sheriff's officer; but the judges must, early in their career, have learnt, how liable they were to have their decrees executed, with violence and tyranny—so as to render the law not a blessing, but a terror and a scourge to the people; and this knowledge at least ought to have taught them more caution. Wedded too, indissolubly to their conviction of the infallibility of the law, they determined to assert its supremacy on all occasions. It was an article of their religion that the law could do no wrong, and in place and out of place, in season and out of season, the processes of the King's court were deemed—sovereign remedies for all social evils. We are not sure that there was not some infatuation in this, but there was at all events no dishonesty. And we may question whether there was a lawyer in any of the Inns of Court when the Regulating Act was passed, who would not, under similar circumstances, have been equally prone to magnify the advantages of the English law, and to push the jurisdiction of the King's court into places which it was never intended to reach.

It must also be borne in mind, by all who would take an impartial view of the conduct of the judges, that the opposition which the new court encountered from the first day of its establishment was but too surely calculated to impel the judges to push its powers to the utmost limit. The judges believed that they were contending for a great principle; the supremacy of the law—the stability of British justice. They saw in the opposition erected against it the most striking proof of the indispensability of the new court; and they felt that the only means of rendering the institution one to be respected and revered, was by the maintenance of its rights in all their integrity and an assertion of its utmost powers. They were anxious to demonstrate, in the eyes of the natives of India, the majesty of British justice. The opposition of the Council at once opened their eyes to the necessity of acting vigorously and fearlessly, as a body amenable to no higher power in India, and subject to no controul from the Governor-General and Council. The Government would gladly have rendered the court a mere subordinate agency, taking its cue from the Council Chamber; but the court was not so to be influenced. It determined to assert its independence; and in so doing was betrayed into errors, which humanity must deeply deplore. The independence of the court it was essential to demonstrate, but independence "in its largeness and overflow" degenerates into excess; and we are afraid that the controul of the Government is not the only controul, which it resisted.

We believe that with the exception of Chambers, the Chief Justice was the most moderate of the four judges. There was any thing but unanimity on the bench. Hyde and Le Maistre were anxious to carry the interference of the court in the affairs of Government to an extent which the Chief Justice could not sanction. Impey always contended that it would be dangerous and unjustifiable for the court to interfere in revenue matters, and by so doing, disorder the whole fiscal system of the country; but Hyde and Le Maistre desired to coerce the tax-gatherers and to throw the ægis of the court's protection over the taxed. The contentions within the court appear to have risen almost to fever heat. In August 1777, we find the Chief Justice writing to Dunning, "Every day's experience shows 'me more and more the truth of your prediction about Hyde. 'He and Le Maistre are violent beyond measure. They have 'set themselves in direct and determined opposition to me, and 'Hyde is even abusive on the bench, to which I have never 'been provoked to reply. Chambers, on the contrary, supports

'me and behaves very handsomely to me."—And again to Thurlow, "I have every day more and more reason to be con-'cerned at my having assisted in getting Hyde and Le Mais-'tre appointed judges. Hyde (in whom the seeds of the 'disorder which he had a little before he left England still 'remain) and Le Maistre are violent beyond all measure. 'They have set themselves in direct and determined opposi-'tion to me in every thing. Hyde is peculiarly abusive to me 'even on the bench, to which I have not nor ever will be pro-'voked to reply. The sole object of disgust to Hyde and Le 'Maistre is my not having joined them in opinion to prevent 'the collection of the revenues being enforced by the officers 'of the Company."* Impey, elsewhere mentions, that his possession of the casting vote was a thorn in the side of his colleagues.

Hyde, indeed, appears to have been the most uncompromising of all the judges; and to do him justice, the most indefatigable. He was the acting justice of the peace, and, therefore, his name appears with much greater frequency than those of his colleagues, on the different legal instruments handed down to us in connexion with the great causes to which we have referred. He seems seldom or never to have been absent from his post; and, if there were any culpability in these transactions, he was assuredly more culpable than Impey, for he it was, who generally committed the court to a line of conduct from which, once entered upon, it could not depart. Chambers, on the other hand, exhibited a much greater disposition to side with the council. He was the intimate friend and constant associate of General Clavering, who was extremely anxious to see Impey removed and Chambers promoted in his stead. There was, however, no want of cordiality between the two judges, and the intimacy between them lasted till death removed one from the scene. Chambers died at Paris in 1802; and Impey attended him throughout his last illness, "arranged his funeral and followed him to the grave."

To Impey himself this violent contention between the court and the council was a constant source of pain and mortification. Attached, as he was, to the Governor-General, and anxious as far as was possible without sacrificing the honor of the court, to promote the interests of the Supreme Government, the open war in which he was now engaged preyed upon his spirits and injured his health. "The public outrages," he wrote to Dunning, "committed against the court have been without any

* Unpublished letters in the British Museum.

'provocation. *The power, which is exerted against me would not have existed in the hands in which it is, if I had not myself helped to keep it there,* and it was used against me at the time, 'when to all appearance, I was living in the utmost confidence 'and familiarity with the possessor of it;" and again, in the same letter, "I was a guest in his house, when he meditated 'these hostilities, without my receiving the least intimation of 'his discontent with the court. I only learnt it by the mili-'tary force of the Company being used to oppose the process 'of the court in the ordinary course of justice. This has 'hurt me much more than any anxiety which I felt during all 'the time that I knew Clavering was endeavouring to ruin me 'in England .... No situation can possibly be more irksome. 'I have scarcely a social comfort beyond my own family. 'The flattering expectation of credit and reputation from the 'happiness I was bestowing on this country, and the benefits I 'thought would from thence have been derived to my own, 'totally blasted, and my private fortune and public duty 'compelling me to remain where I must waste my life in 'perpetual vexation and ineffectual struggle." About the same time Hastings wrote to Sullivan: "I suffer beyond mea-'sure by the present contest, and my spirits are, at times, so 'depressed as to affect my health. I feel an injury done me by 'a man for whom I have borne a sincere and steady friendship 'during more than thirty years, *and to whose support I was, at 'one time, indebted for the safety of my fortune, honour and re-'putation,* with a ten-fold sensibility. And under every con-'sciousness of the necessity which has influenced my own 'conduct, and the temper with which I have regulated it, I 'am ready to pass the most painful reproaches on myself on 'the least symptom of returning kindness from him. Such is 'my weakness, if this be a weakness....We are both of us 'unhappily situated and associated. Myself linked in the 'same cause with a man equally his enemy and mine*—he 'with one man, who has made no scruple to avow himself my 'enemy†—God knows why—and another, who, though not 'personally indisposed to me, but governed by a harsh and 'petulant temper, and possessed of the most extravagant opi-'nion of the omnipotency of his office, is the acting justice of 'the peace and issues almost every preparatory process of the 'court, which his colleagues must maintain or their authority 'and dignity suffer by a diminution of his. In him our pre-'sent controversy originated, and from acts of which, however

* Francis. † Chambers.

'the Chief Justice may now think of them, I in my heart 'believe it impossible for him to have been the author." We need not add that the party here described is Mr. Justice Hyde. It was to the eager haste with which Hyde issued his processes that much of the evils which arose must in fairness be attributed.

It is hard to say whether Hastings or Impey felt more keenly the severance of those ties, which had bound them together since their boyhood. It is probable that they both exclaimed in the touching words of the afflicted David, each imputing the greater blame to the other:—"For it is not an open enemy, that hath done me this dishonour; neither was it mine adversary that did magnify himself against me; for then peradventure I could have borne it, but it was even thou my companion, my guide and my own familiar friend." It was the very closeness of their former intimacy which rendered their present separation so galling.*

Nothing hurt Impey so much as the circumstance that at the very time when the Governor-General struck the most crushing blow at the Chief Justice, the latter was a guest in the former's house. There had been, previously, some coolness between them, as indicated by a modification of the familiar style of address observed in their respective letters; but about November 1779, Impey having fallen sick, we find Hastings writing to offer him the use of his country house. In September their correspondence had been stiff and formal. The "dear friend" and "dear Hastings" had grown into "dear Sir;" and Impey had even written to Hastings complaining of "an additional affront from Government," which had been put upon the Supreme Court; but friendly relations had been re-established; and Impey, with his family had taken up his abode in the Governor-General's house.† It was not long, however, before

* We can not offer a better proof of the strong friendship that existed between them, than is to be found in the following passage of a characteristic letter from Hastings to Impey, which is contained in the manuscript correspondence in the British Museum—"My mind is not without its painful sensations and those are often 'the most painful which are confined to it. As I write to you what is uppermost 'and from the disposition which prevails at the instant you must bear with me, if 'I am petulant; you must allow me to exult in the moment of levity and let it 'pass if what I write is nonsense. May God bless you, my friend, and give you 'confirmed health."

† Hastings wrote, "I have examined the house, and hope I have provided such accommodations as will be acceptable to you, and I venture to make it my request, a request in which Mrs. Hastings joins me, that you will come and make trial of them. ....one circumstance I must apprize you of, which did not occur to me, when I saw you, that we shall be obliged to return to town for a few days, on account of a wedding which is to be celebrated in our family, on the 28th, and will require some previous arrangement... we shall return again presently after for an indefi-

they stood in a very different relation towards such other. For a time they "stood aloof"—neither we may venture to say ceasing to take the deepest interest in the welfare of his old friend, but outwardly frigid and distant. The cold weather of 1779-80 saw a great chasm between them. There is a note in Hastings' own writing, in the Impey collection, commencing "Mr. and Mrs. Hastings present their compliments to Sir Elijah and Lady Impey, and request to know how their little Marian is"—The child was a god-daughter of Mrs. Hastings, who took the liveliest interest in the little girl. In the time of their alliance, letters of affectionate inquiry were constantly passing between the two families.

It was about this time that Impey wrote to his friend, Dr. Flemming, then with the Army, a letter containing the following passages:—

"As to my public situation it has been rendered so irksome to me that the very reciting the circumstances is too disgustful to me to suffer me to enter on the subject. All that I shall say on it is, that at the very time the Governor-General was caressing me and entertaining me as his guest, in his house after my recovery from a tedious illness, he was meditating a stroke, which must interest both my fortune and reputation, the first intimation of which came to my knowledge by the eclat of the Company's military forces having committed hostilities against the officers of the Court. *This behaviour from a man, who would not have been in the Government, if I had not contributed to support him, you may imagine must have been a little galling*, especially as no provocation had been given him. We were only proceeding in the ordinary course of our business, as it had been practised ever since our establishment. As this is diametrically opposite to repeated and warm promises made to me, it is unaccountable except from a lust of power to which all things must yield, and unless I was to be made a sacrifice to new connections. But however close the present union may be between Mr. H. and Mr. F., I believe you will join with me in thinking that it can not be durable. Mr. H. seemed to be very glad to get rid of Barwell, and no doubt would likewise be pleased, if I was out of the way. But though the treatment I have received from him is not what I had reason to expect, I am resolved not to act adversary to him in any respect, but in the cases in which he has or shall make it necessary to me so to do for self-defence. I am determined to leave this country, (except my situation should be mended) as soon as I can with honor to myself and justice to my family."*

The reader will observe in the letter from Hastings to Sullivan, and in those from Impey to Dunning, and Dr. Flemming, passages of a similar tendency, distinguished by italics.

nite time, and it will afford both Mrs. Hastings and myself great pleasure to have you, Lady Impey, and your little ones of the party."—*MSS. correspondence in British Museum.*

* This letter contains much matter relative to a commission sent to Dr. Flemming to purchase a set of pearls for Lady Impey—which is only noticeable as setting forth Impey's character in an amiable light as an affectionate and indulgent husband.

Mr. Macaulay asserts "that the 'strong words' in the Governor-General's letter can refer only to the case of Nuncomar, and they must mean that Impey hanged Nuncomar in order to support Hastings." If Impey really committed this judicial murder, it is strange, indeed, that he should have boasted of it both to his friends in India and England. But the fact is that the strong words, which "could only refer to the case of Nuncomar," in all probability refer to a totally different affair. The interpretation lies much nearer at hand. It was to the support of Impey that Hastings was mainly indebted for his continuance in office after General Clavering had attempted to usurp the Government—an event of which we have not spoken in its proper place partly because it belongs more to the General History of India than to the biography of Sir Elijah Impey, and, partly because in a former article, we gave some particulars of the memorable circumstances attending the attempt to wrest the reins of Government from the hands of the only man, who was capable of holding them. But to return to the breach between Hastings and Impey—affairs were in this condition when the Governor-General, deeply sensible of the disastrous consequences attending a continued struggle between the Government and the Supreme Court, entered, on the 29th of September 1780, the following proposal in the Minutes of Council:—

"That the Chief Justice be requested to accept of the charge and superintendency of the office of Sudder Dewany Adalut under its present regulations, and such other as the board shall think proper to add to them or to its substitute in their stead, and that on his acceptance of it, he be appointed to it and styled the judge of the Sudder Dewany Adalut.

I shall beg leave to add a few words in support of this proposition, on different grounds. I am well aware that the choice which I have made for so important an office, and one which will minutely and nearly overlook every rank of the Civil Service, will subject me to much popular prejudice, as its real tendency will be misunderstood by many, misrepresented by more, and perhaps dreaded by a few.

I shall patiently submit to the consequences because I am conscious of the rectitude of my intentions, and certain that the event will justify me, and prove that in whatever light it may be superficially viewed, I shall be found to have studied the true interests of the service, and contributed the most effectually to its credit.

The want of legal powers, except such as were implied in very doubtful constructions of the act of Parliament, and the hazards to which the superiors of the Dewany Courts are exposed in their own persons, from the exercise of their functions, has been the cause of their remissness, and equally of the disregard which has been in many instances shown to their authority, they will be enabled to act with confidence, nor will any man dare to contest their right of acting, when their proceedings are held under the sanction and immediate patronage of the first member of the Supreme Court, and with his participation in the instances of such as are brought in appeal before him, and regulated by his instructions.

They very much require an instructor, and no one will doubt the superior qualifications of the Chief Justice for such a duty.

It will be the means of lessening the distance between the Board and the Supreme Court, which has perhaps been, more than the undefined powers assumed to each, the cause of the want of that accommodating temper which ought to have influenced their intercourse with each other.

The contest in which we have been unfortunately engaged with the court, bore at one time so alarming a tendency, that I believe every member of the Board, foreboded the most dangerous consequences to the peace and resources of this Government from them. They are at present composed; but we cannot be certain that the calm will last beyond the actual vacation, since the same grounds and material of disunion subsist, and the revival of it at a time like this, added to our other troubles, might, if carried to extremities, prove fatal.

The proposition which I have submitted to the Board may, nor have I a doubt that it will, prove an instrument of conciliation with the court; and it will preclude the necessity of assuming a jurisdiction over persons exempted by our construction of the act of Parliament from it; it will facilitate and give vigour to the course of justice; it will lessen the cases of the Board, and add to their leisure for occupations more urgent, and better suited to the genius and principles of Government; nor will it be any accession of power to the court, when that portion of authority which is proposed to be given, is given only to a single man of the court, and may be revoked whenever the Board shall think proper to resume it."

Against this proposition, Mr. Wheler, who had succeeded to the place in Council, left vacant by the death of Colonel Monson, entered a long minute. Francis vigorously protested against it; but urged that he had "no idea of personal disrespect to the Chief Justice." And Sir Eyre Coote, occupying the place of General Clavering, who had been carried off by one of the scourges of the country, gave his assent to the proposal, as a provisional arrangement. Mr. Gleig, in his life of Warren Hastings, asserts, that "Mr. Barwell, who had not yet retired gave it his support;" and the resolution was carried. But it appears that the proposal was not put forth before the 29th of September 1780, and that Barwell left India in the preceding March.

Still the measure was carried, for Sir Eyre Coote voted with Hastings; and the Governor-General had the casting vote. On the 24th of October, it was resolved "that the 'Chief Justice should be requested to accept of the charge and 'superintendence of the Sudder Dewany Adalut, under its 'present regulations, and such other as the Board shall think 'fit to add to them, or to substitute in their stead; and that on 'his acceptance of it he be appointed to it, and styled the 'judge of the Sudder Dewany Adalut." Nothing was said about salary; but on the following day the appointment was offered to Impey and accepted.

Two or three weeks afterwards the Chief Justice wrote to his brother, that the Sudder Dewany had been offered to him

and accepted, adding, "such a trust reposed in me under 'circumstances, which bear the strongest testimony of my 'having acted though in a manner adverse to them, yet under 'a sense of public duty can not but be flattering to me. This 'new office must be attended with much additional labour; 'yet in the hope that I may be able to convert these courts, 'which from ignorance and corruption, have hitherto been a 'curse, into a blessing, I have resolved to accept it. No pecu-'niary satisfaction has been offered or even mentioned to me, 'but I do not imagine it is intended that my trouble is to go 'unrecompensed."* On the 22nd of December, the Council agreed upon the salary of the new judge, and advised the Court of Directors of their proceedings.

On the 27th of January 1781, Impey wrote to Barwell, "The Sudder Dewany Adalut is placed under my manage-'ment. It will be no agreeable thing to me, but as it was the 'Governor's act, I am contented." He appears to have devoted himself to the duties of his new office with characteristic assiduity—drawing up rules and regulations for the Company's Court, and otherwise superintending its machinery; but though he toiled and toiled, so that his little stock of health soon failed him, he never drew the salary attached to the appointment. He appears very soon to have doubted the propriety of accept-ing the emoluments of an office, under the controul of the Company, without the consent of His Majesty's Government; and in the following July he addressed a letter to the Council Board, in the Revenue department, declining to appropriate any part of the salary attached to the Judgeship of the Sudder Dewany. On this point, the Council replied, "We can 'offer no opinion upon that resolution, which appears to have 'proceeded from a delicacy of which you yourself can be the 'only proper judge. But we must express our regret that 'you should have thought it necessary to prescribe to yourself 'this forbearance, because the labour and importance of the 'office which you have accepted from us would most certainly 'entitle any person who possessed it to an adequate recom-'pense, and must, in our estimation, be considered as more 'especially your due, from the very qualifications which are 'immediately connected with the only circumstance that could 'have given occasion to your doubts of the propriety of receiv-'ing it." But still Impey refused to accept the salary; and kept strict account of all the fees paid into Court, during the time that he presided at the Sudder Dewany (a period of

* See private correspondence in Impey's Memoirs.

only a few months) in order that these sums might be paid into the General Treasury. And that they were so paid, there is in the India House incontestible documentary evidence to prove. The truth appears to be, that Impey took upon himself an immense amount of labour and never profited by it to the extent of a farthing.

And it was for this that Impey was recalled from Calcutta—it was for this, in part, that he was impeached—it was for this that Macaulay declared that no other such judge has dishonored the British ermine since Jefferies drank himself to death in the tower!

The hot weather of 1781 was more than usually trying to the constitution of Sir Elijah Impey. An accumulation of labor in a country, whose exhausting and deteriorating climate renders excessive intellectual exercise always dangerous and often fatal, had made it necessary that the Chief Justice should seek in change of air and comparative relaxation a remedy for his complicated ailments. He accordingly determined upon taking a river-trip; and, with Lady Impey, put himself on board a pinnace, towards the close of the month of July. It was characteristic of the man that even in this shattered state he could not induce himself to take a voyage solely for the purpose of renovating his health: but was desirous of turning his journey to purposes of public utility by inspecting the different local Courts subject to the Sudder Dewany. With this view, he sailed from Calcutta, turning the head of his pinnace up the river.

The Governor-General was, at this time, in the Mofussil. The memorable affairs of Benares were engaging his attention; but when Impey quitted Calcutta no danger was apprehended. The crisis arrived on the 16th of August. Mrs. Hastings was at Monghyr, where Sir Elijah and Lady Impey joined her, and by their kindness did much to console her at this most anxious period of her life.* "When the insurgents," says Mr.

* By this time the friendly relations between the two families had been completely re-established. Hastings wrote frequently to his friend, and often on common and familiar subjects. It is amusing to find the Governor-General writing to the Chief Justice about the best means of keeping his pinnace cool. In the M. S. collection, deposited by Mr. Impey, in the British museum, there is a letter in which Hastings says, "I am afraid that you do not contrive well, as you complain 'of the heat of your pinnace. You should keep a broad awning spread over the 'deck of your cabin, and continue on the sunny side of it moveable canvas purdahs, 'sloping beyond the bottom of your windows in this manner,"—and then he appends a diagram, with references. On the 13th of December 1781, the Governor-General wrote from Chota Mirzapore: "The cheerfulness and satisfaction expressed in your 'letter afforded me the greatest pleasure, and it is with a happiness, at least equal to 'yours, that I see so perfect a cordiality confirmed between our families. I have no 'doubt of its lasting as long as we live. It has ever been the wish of my heart."

Impey, "had driven the Governor-General from Benares to 'the rock of Chunar, and when his life was in peril, he wrote 'a hasty note in pencil to the Chief Justice. The purport of 'it was to request him to urge on the marching of troops to 'Chunar, where for some time the Governor-General was left 'with only fifty men. Sir Elijah did urge on the troops, and 'promoted, by other measures, the relief of Mr. Hastings from 'his perilous situation."

On the 1st of October the Governor-General wrote to Impey from Benares, to thank him and his lady for their kindness to Mrs. Hastings, adding, "I have written that I should 'desire Mrs. Hastings to proceed to this place, and in that case 'I shall still hope that you and Lady Impey will be of the 'party."—A fortnight afterwards he wrote another letter to the same effect, addressed to Lady Impey; and about the 26th of October—some three months after they had quitted Calcutta, the Chief Justice and his party reached Benares.

It was whilst at Benares—having proceeded so far in pursuance of his original project—that the Chief Justice was solicited by Hastings to continue his journey as far as Lucknow, that he might take certain affidavits which were required to substantiate the Governor-General's "Narrative" of the proceedings at Benares and in Oude. With those proceedings, which form so interesting and so important a chapter in the History of British India, we have assumed the reader's acquaintance; nothing more was required from Impey than that he should take the affidavits. He proceeded to Lucknow and took them. He did not pretend that he had any jurisdiction in Oude; he did not pretend that the business was one which properly came within the scope of his office. He went out of his way to render what he believed to be a service to the state. "I have yet to learn," he said, in after times, "that official 'men are restricted by the exact line of their official functions, 'from doing essential, though extraordinary service, to the 'state." That he did not read the affidavits he acknowledged; but he contended at the same time that he was not bound to do so—that the party taking an affidavit has nothing to do with its contents. He, indeed, refrained from mixing himself up, in any way, with the proceedings, so as to make himself responsible for the measures which rendered the affidavits necessary. He merely acted as *amicus curiæ*, in a great emergency—giving the stamp of authenticity to documents, which were necessary to substantiate the statements of the Governor-General. He had nothing to do with the truth or falsehood of those documents. It was his part only to stamp them, as being what

they professed to be—the genuine depositions of the parties whose names were appended to them.

"After the business of the affidavits was finished," writes Mr. Impey, "the Chief Justice returned to Calcutta, with his 'wife and attendants, travelling leisurely, though not quite so 'slowly as he had done from that capital to Lucknow. He was 'thanked by the members of the Supreme Council, and nearly 'every Englishman for the trouble he had incurred."

Early in the following year, Sir Elijah Impey, who had been previously employed in perfecting the machinery of the court, took his seat in the Sudder Dewany. He appears to have presided throughout the months of April, May, June, July, August and September. But his career as a Company's judge was soon cut short. Sir Elijah Impey was recalled.

Francis had quitted India, soon after the Sudder Dewany had been conferred upon Impey. He had protested against the appointment; and we see no reason to doubt the sincerity of the protest. But he hated Impey with a deep and unrelenting hatred; he hated him as the friend of Hastings, and he hated him on his own account.* When he left Calcutta he knew nothing more than that the appointment had been offered to Impey, and had been accepted. Not a word had been said about salary. But Francis had no sooner set foot again on the shores of England, than he began to scatter abroad insinuations fatal to the character of the Chief Justice. From insinuations he proceeded to direct aspersion; the press was called into his aid. Junius knew how to write,† and it was soon currently believed that Impey had accepted the judgeship of the Sudder Dewany, with a salary of about £8000 a year.

The question of the legality and propriety of the combination of the two judgeships in the person of Impey soon came under discussion at the India House. Mr. Impey says, "that the 'Directors had at first expressed their unqualified approbation 'of the measure; that is to say, so long as they understood the 'appointment to have been accepted—as it had been without the 'salary. But at the close of 1781, six months after the return 'of Francis from the East, taking umbrage at his report of 'the acceptance of a salary, the Directors resorted to legal 'advice." We may fairly question the propriety of such an imputation as this—but we have no space to discuss the subject.

* We need not here refer to the Grand and Francis case, tried before the judges of the Supreme Court.—See *Calcutta Review*, No. IV. Art. *Sir P. Francis*.

† Among other pamphlets, published at this time, was one entitled "Extract from an original letter from Calcutta, relative to the administration of justice by Sir Elijah Impey—1780." It was undoubtedly written by Francis. Mackintosh's travels soon followed.

The point was referred, as a point of law, to three of the most eminent lawyers of the day—Dunning, Wallace, and James Mansfield. The opinion returned was conveyed in the following words:—

"The appointment of the Chief Justice to the office of judge of the Sudder Dewany Adalut, and giving him a salary, besides what he is entitled to as Chief Justice does not appear to us to be illegal, either as being contrary to the 13th George III., or incompatible with his duty as Chief Justice, nor do we see anything in the Act 21, George III., which affects this question.

(Signed) J. DUNNING.
JAS. WALLACE.
JAS. MANSFIELD.

Lincoln's Inn, 19*th Dec.* 1781.

Three days after the date of this opinion, Mansfield, who was Solicitor-General, began to entertain some misgivings as to the soundness of his decision; and accordingly wrote, that he had reconsidered the matter, and it was "by no means clear to him that the acceptance of such an office, with a salary or other profit annexed to it, is not forbidden and rendered illegal" by the 13th George III. Mr. Rous, the Company's standing counsel, expressed a similar opinion; but the decision in both cases was grounded upon the supposition that Sir Elijah Impey had received the salary, as well as the office of the Sudder Dewany.

The Court of Directors appear to have taken a very dispassionate and correct view of the case. They recorded their opinion that "It would hardly have been expected that the 'Chief Justice should give up his hours of relaxation, and 'enter on a fresh scene of labour and perplexity without 'compensation. The offer of a salary was at once a neces-'sity and a judicious sacrifice. But the property of the Com-'pany has by no means been wantonly lavished. £8,000 bore 'no proportion to the sums which must eventually be saved. 'Perhaps they were ten times the amount; and of this salary 'we are yet to learn that a single shilling has ever been re-'ceived, though the appointment was passed in council in 'October 1780." This passage is sufficient to clear the court from the imputation of mean and unworthy conduct cast upon them by Mr. Impey.

And there is little doubt that the Chief Justice, thus supported at the India House, would have triumphed, in spite of the malignant activity of Philip Francis, if just at this time the administration of Lord North had not tottered and fallen to the ground. In March 1842, there was a change of ministry, and with the Marquis of Rockingham and Lord Shelburne, Mr.

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Burke came into power. The influence of the great orator over the mind of the Prime Minister, especially in all that related to Indian affairs, has never we believe been questioned. Burke was, for a time, dominant; and with the new administration, new influence sprung up in the India House; but not altogether we are inclined to think, of the character, which Mr. Impey whom we are now about to quote, supposes. There was we believe a change of persons:—

"A few weeks *before* the resignation of Lord North, they negatived a motion for removing Sir Elijah Impey from the office of judge of their Adalut. A few weeks *after* the formation of the Rockingham and Shelburne administration, they did the very opposite to this, voting on the 30th April, that the Governor-General should be written to, and the Chief Justice removed from the said office on the receipt of their letter.

This decision only went to deprive my father of the laborious and unpaid presidency of their Court of appeal, which was a relief rather than a deprivation. But Mr. Burke, who had by this time deeply imbibed all the prejudices of his inferior, was not disposed to rest satisfied with this simple measure. Francis had openly declared, as well in India as in England, that he would bring about my father's recall; and to this object he and his party applied themselves with the greatest ardour and activity.

On the 3rd May 1782, three days after the vote of the Court of Directors, an address to the King was carried in the House of Commons, for the immediate recall of Sir Elijah Impey, to answer the charge "of having accepted an office not agreeable to the true intent and meaning of the Act 13 George III." On the 24th June following, notice of motion was given in the House of Commons, for a censure on Mr. Chambers, for having accepted the office of Company's Chief Justice at Chinsurah. But General Smith, who had given notice of this motion, thought proper to postpone it until the next session. The next session came, and was allowed to elapse without any such motion being made; and thus Mr. Justice Chambers was not even so much as censured, though the Chief Justice was recalled. This cannot but appear strange, until accounted for; and the solution of the mystery is this: General Richard Smith had, in the interim, become not only the friend and ally of Francis, but chairman of the Committees of the House of Commons, which drew up the charges of accusation against Sir Elijah Impey.

A large salary, variously stated from £3,000 to £5,000 per annum, was attached to the office which Chambers accepted from the Company, and afterwards upon his resigning this Chinsurah judgeship, he accepted the superintendence of the police, with another salary, which he enjoyed so long as he remained in India. Mr. Justice Hyde, another of my father's assessors, was allowed to unite to his office of puisne judge in the Supreme Court that of another judgeship, and to receive another salary from the Company. Yet as far as I have been able to discover, after the faint attempt to obtain the vote of censure upon Justice Chambers in the House of Commons, neither their conduct nor their motives were ever publicly called in question, and far—very far—be it from me to question them."

In the manuscript collection in the British Museum there is a singular commentary upon this passage—and one which on many accounts is worth quoting. On the 13th of November 1782, Mr. Macpherson wrote to the Chief Justice:—

"I further think that you can not *with safety to yourself*, even if the Government permitted it, exercise the ultimate power of decision in the Adaluts from the arrival of the new act, which should certainly have been immediately published, as I told the Governor on my return. I beg you to consider this matter calmly, and to consider whether your friend in England means more in his letter than that you should not move under the impressions of a recall, until the event takes place—an event he thinks he can counteract. I have a letter of authority, which mentions that even in the Direction in January last, when Sullivan was in the chair, the number for and against your new appointment and salary were equal: the treasurer drew the choice in your favor. But the new Direction will proceed with violence on the subject of the salary and other appointments to refund.* I have a letter from Mr. Macdonald which is friendly to you, but which states, that the Chancellor fended off the first impressions in the House of Lords from your acceptance of the Adaluts, by disavowing the charge as a fact. I wish you to reflect whether it would not be essential to your interests, if you remain here as the head of your own Court (which I heartily wish you to do) that the act of relinquishing the charge of the Adaluts should be your own, and that it should be followed with more marks and testimonies of approbation upon the part of the Government, which would show the public utility of what you had done, and whether all should not go home by this packet under the proper date. I declare to you candidly that I mention this would be the step to serve yourself and Mr. Hastings in what is past and what is to come."—*(Unpublished MSS. in the British Museum.)*

From a very rough draft of a reply to this letter in the MSS. correspondence, it would appear that Impey refused to throw up the appointment on the ground that the act would have been tantamount to a confession of culpability in accepting the Sudder Dewany. There is an allusion in it to the legality of acceptance of office in connexion with the question of refunding—but we confess that we do not very clearly understand this part of the correspondence. The passage in Macpherson's letter is totally unintelligible. It is obvious that if Sir E. Impey accepted neither salary nor fees, he had nothing to refund. The "refunding," in all probability, referred entirely to the "other appointments," which we conclude were those held by Chambers and Hyde.

Whether this reply to Macpherson's letter was ever sent, or not, we have no means of ascertaining; but it is obvious that the friendly advice of that gentleman had some effect upon the Chief Justice, for, two days afterwards, Impey resigned the presidency of the Adaluts. On the 27th of January he received, under the hand of Lord Shelburne, who had made out his original appointment, official notice of his recall.

But it was not before the following December, that the Chief

* *Sic* in original.—Ed.

Justice and his family were able to embark for England. Had he sailed earlier he would in all probability have been captured by the French fleet in the Bay of Bengal. When he finally set sail, on board the *Worcester*, he appears to have carried with him the regrets and the good wishes of a considerable portion of the community of Calcutta. "In public addresses and in 'other less ceremonious forms," says Mr. Impey, "Sir Elijah 'brought away with him many testimonials of regard and affec-'tion, and left behind him more than one memorial publicly 'voted to preserve the remembrance of his fame and person 'among the wealthier inhabitants of Bengal."

We must hurry on to a conclusion of our narrative. Our article has already far transgressed the usual limits; and what remains must be briefly told. The *Worcester* sprang a leak, on the way home; the captain of the vessel died; and the ship was nearly wrecked off St. Helena. Landing on the rocky island, he secured a passage, which cost him a thousand pounds, in a safer vessel, and proceeded homewards in the *Dutton*. "The voyage from St. Helena," writes Mr. Impey, "must have been drawing towards its close, when I witnessed 'a little domestic scene on board the *Dutton*, which is embalm-'ed in my memory as one of my first and tenderest recollec-'tions. On a calm evening the ship was under easy sail, and 'my father standing on deck, surrounded by his wife and three 'children, with our ayahs or Indian nurses. There on the 'deck of the old *Dutton*, I well remember his playfully des-'cribing to us the new scenes to which we were about to be 'introduced, the new brothers and sister, uncle and aunt and 'governess, with whom we were shortly to be made acquainted; 'and well do I recall to my mind the transition from playful-'ness to gravity, which passed over his features, when, chang-'ing his tone, he began thus early to instil into our minds 'the duty we were bound to pay to those several relations."

In June 1784, Sir Elijah Impey again planted his foot on the shores of old England, his friends and ancient associates welcomed him with cordiality. He did not appear among them as a disgraced man. Dunning was dead; but Bathurst, Thurlow, Dutton, James Mansfield and others were still living. All held out the hand of friendship; and Impey was soon settled in London, with a house and establishment provided for him by the family of the first of these eminent lawyers.

Impey had been recalled from India, to answer to the charge of having accepted the Presidency of the Company's Court contrary to the existing law; but he was not removed from

the office of Chief Justice. He, indeed, continued to draw the salary of the appointment for some years* after his arrival in England, and his return to India appears to have been contemplated by others, though never by himself. For the specific offence, on account of which he was summoned home, he was never called upon to answer; and it was not before 1787, that any other direct charges were brought against him, though malice was busy with his name. Then it was that Burke moved the articles of impeachment against Warren Hastings. The Nuncomar charge was one of them; and the criminality of Sir Elijah Impey was urged in a torrent of vituperatory eloquence.

It was on the 4th April that the charges against Hastings were moved by Mr. Burke. On the 12th December, Sir Gilbert Elliot presented to the House of Commons six articles of impeachment, charging Sir Elijah Impey with high crimes and misdemeanours committed in the capacity of Chief Justice of Bengal. Sir Gilbert Elliot was the friend of Burke and Fox—the friend of Sir Philip Francis, to whose specious representations he had lent a too willing ear. There can be no doubt of the ability with which the charges were set forth. The *Annual Register*, indeed, asserts, that "in the style of persuasive eloquence it was never exceeded in either house of Parliament." He began, of course, by pleading an exemption from the ordinary weaknesses of humanity; he was not influenced by personal feeling; he was not influenced by party spirit. He talked about great principles. He contended that India must either be redressed or lost. He then laid down, "that the only means left of reforming Indian abuse was the punishment in some great and signal instances of Indian delinquency." He then proceeded to speak, in general terms, of Sir Elijah Impey's delinquency—declared that the Chief Justice had been sent out to protect the people of India, and had oppressed them,—and then advancing from generals to particulars, brought forward his specific charges. The articles of impeachment occupy 128 pages. We can only, therefore, give the heads of them, as contained in the *Annual Register;* and the details, which we have given of the events, which form the basis of them, render it unnecessary that we should do more:—

"The first related to the trial and execution of the *Maha Rajah Nuncomar*.

* That is, till November 1787.

The second, to the conduct of Sir Elijah Impey in a cause commonly known by the name of the *Patna Cause.*

The third is entitled, *Extension of jurisdiction*, and comprehends various instances, in which the jurisdiction of the court was extended illegally and oppressively, both as to persons and subject matter, beyond the intention of the act and charter.

The fourth charge is entitled, *The Cossijurah Cause*, and belongs also to the class of offence contained in the third charge, being another instance of illegal extension of jurisdiction; but it was distinguished by such circumstances of peculiar violence, and led to consequences so important, as to become properly the subject of a separate article.

The fifth charge is for his acceptance of the office of *Judge of the Sudder Dewany Adalut*, which was contrary to law, and not only repugnant to the spirit of the act and charter, but fundamentally subversive of all its material purposes.

The sixth and last charge relates to his conduct in the provinces of *Oude and Benares*, where the chief justice became the agent and tool of Mr. Hastings in the oppression and plunder of the Begums.

"Such are the charges," said Sir Gilbert Elliot, "which I have thought it my duty to present at this time to the house. I will venture to say, that there never was an accusation which became better recommended to your enquiry and investigation; and it is matter of the most substantial comfort to my mind, that in accusing a fellow-citizen of crimes so atrocious, I do not trust to my own vain imagination and opinion, but am prompted in every line by the previous judgment of this house of parliament, and of every authoritative body by whom the transactions were cognizable.

"The conduct of the Supreme Court, and especially of Sir Elijah Impey, had been the subject of complaint and accusation in India from the first months of its institution. He was accused, by a majority of the supreme council, of one of the most atrocious offences that was ever laid to the account of man; and this made the subject of the *first charge*. Parliament judged it proper, on the report, made by the select committee, of the *Patna Cause* to express its sense of the injustice and oppression of that judgment, by delivering the defendants from its consequences, and ordering an indemnification for the losses and injuries they had sustained under it. Parliament has not only granted the indemnity desired by the members of council, for resisting the acts of the Supreme Court, but has expressly abridged that court of the extravagant and oppressive, as well as mischievous jurisdiction claimed in the instances comprised in my *third charge*; and these were similar, though somewhat inferior to the pretensions which produced the singular occurrences in the *Cossijurah Cause*, detailed in the *fourth charge*. The house recalled Sir Elijah Impey from his office of Chief Justice, expressly for having accepted that of judge of the Sudder Dewany Adalut, which is the subject of the *fifth charge*. And Mr. Hastings was at that moment under the prosecution of this house, by impeachment before the lords, for the very crime, in which the *sixth charge* accuses Sir Elijah Impey as accessary."

The charges were referred to a committee of the whole house; and the 4th of February, 1788, was the day appointed for its sitting. Before the committee proceeded to business, a petition was presented from Sir Elijah Impey, praying to be heard at the bar of the house. This was granted; and the

accused appeared, attended by his counsel, the Attorney-General (Pepper Arden) the Solicitor-General (Sir Archibald Macdonald) and assisted by his son, Archibald Impey, then a young student at law. The defence was not read, but orally delivered. In this Impey had greatly the advantage over his distinguished friend, whose impeachment had led the way to his own. Hastings had read his defence, Impey spoke, distinctly and impressively, retaining his self-possession throughout his long and masterly address. In this oration, he spoke only to the first charge, declaring that, "his mind had been so strongly affected and even his health so much impaired by the anxiety and horror he had felt at being charged with having committed a deliberate legal murder, that he feared he should be unequal to the exertion of entering into his defence against the other articles, before he was acquitted of the first. That the rest he considered as so light in comparison with this that he had scarce any objection to their going without further discussion to the Lords, if this were decided against him. To this request Sir Gilbert Elliot gave his consent."*

Of Sir Elijah Impey's defence we are unable at this advanced stage of our article to afford our readers any adequate idea. The defence was printed by Stockdale, and corrected by Sir Elijah himself. Very few copies of it are in existence. There was not one in the British Museum, until Mr. Impey there deposited his own private copy. It has been supposed that the greater part of the impression was bought up and destroyed.

The defence, a considerable part of which is printed in Mr. Impey's memoir of his father, and which is, therefore, accessible to all our readers, we conceive to be a triumphant one. It relates entirely, as we have said, to the Nuncomar charge. Much of the substance of it we have, in a manner anticipated, when dwelling upon the events of the trial.—After alluding to the specific charge upon which he had been recalled—a charge referring to a period much later than the date of the principal crimes, which were imputed to him, he said—

"It is now twelve years, since this nation has been deluded by false and perpetual informations, that the Supreme Court of Judicature, had most absurdly, cruelly, and without authority obtruded the complex and intricate criminal laws of England on the populous nations of Bengal, Behar and Orissa, whose law, religion, and habits, were particularly abhorrent to them, that a Native of Bengal of high rank, had been tried and convicted on a

* *Annual Register*, 1788.

capital law of England for an offence punishable in the place where it was committed by a fine only; and that the Court which had tried him, had no jurisdiction over his person; that he was brought within the limits of the jurisdiction by force, and in that state that the Court adjudged that its jurisdiction had attached upon him, and to sum up all, in the words most deservedly odious to an English ear, he was finally executed under that which if a law at all, was *ex post facto* law."

He then complained of the numerous calumnies that had been heaped upon him by the press—quoted in his favor the authority of Blackstone, who had greatly commended his conduct—of Mansfield, of Dunning, all of whom had been falsely reported to have condemned his proceedings; asked if such men would have supported him, if he had been the atrocious criminal his enemies had represented him to be. He then spoke to the immediate charge; firstly, of the question of jurisdiction :—

"An Hindu inhabitant of Calcutta," said he, "was as much amenable to the English law in Calcutta, as if the said Hindu had been an inhabitant of London. The unjust, with equal propriety, objects to being tried by any law but that of his native country; at the Old Bailey as at the Court-house in Calcutta. Gibraltar, in the kingdom of Spain, is—Calais in that of France, was—part of the kingdom of this realm: admitting the laws of England to have been introduced into these towns, a French inhabitant of Calais, or a Spanish inhabitant of Gibraltar, having offended against the law under which he dwelt, might with equal reason complain, that he was not tried by the law of the place of his nativity, as an Hindu in Calcutta, because that town is situated in Bengal. There is nothing in the quality of an Hindu that makes the law of the country wherein he was born more attached to him than to a Frenchman or a Spaniard, all must be obedient to the law that protects them. It was not till since the seat of government, and the collection of the revenue has been brought to Calcutta, that it has become populous, by the influx of black inhabitants. The laws have not been obtruded on them, they have come to the laws of England."

He then commented on the case of Radachund Mittra—demonstrated that the inhabitants of Calcutta were conversant with the state of the law, as regarded the capital nature of the crime of forgery; denied that Nuncomar had been brought to Calcutta by force; and showed that he was proved to be a settled inhabitant of Calcutta. He then proceeded to say :—

"I was particularly informed by a gentleman, formerly a member of the Council in Bengal, and now of this House,* who has this day repeated to me the same information, that he had himself carried such sentence into execution against two Brahmans, without any disturbance, and even with the consent of the Hindus themselves. The prosecutor who sued for the execution in this case, was an Hindu, many of the witnesses were Hindus; what the

* Mr. Barwell.

sentence must be, was well known to the prisoner, the prosecutor, and all the Hindus in the settlement; yet no objection was made by the prisoner, or his counsel, before or after the sentence was pronounced to the mode by which he was to suffer death; no evidence was given of its being shocking to the religious opinions of the Hindus; no mention is made of it, in the address of the Hindus."

He then referred to the circumstances of the previous prosecution of Nuncomar in the Mayor's Court, proved that he could not have been tried a day earlier or a day later than he really was. He urged that the judges had been unanimous, that he had no recollection of any appeal in favour of Nuncomar; maintained that there were no grounds for granting a respite; spoke of the honors which had been shown to Nuncomar in prison; and went over, at much greater length, the ground travelled in the letter to Governor Johnston, which we quoted at an earlier stage of our article. He then commented upon the extraordinary story of Nuncomar's petition, intimating that he had a copy of it in his possession, and the conduct of General Clavering in keeping it back until after the execution, pointed out that the petition had been burnt by order of the Council, as a libel on the Court; and concluded with* an unanswerable protest against the injustice of arraigning him individually, for acts committed by the Court in its collective capacity:—

"Though called to answer," he said, "as for acts done by me singly, those acts not only were not, but would not have been done by me individually; I was one member sitting in a Court, consisting of four members; all the four members concurred in the acts imputed to me; my voice singly and by itself could have had no operation. I might have been overruled by a majority of three to one. I was not more concerned in the proceedings than any other judge; I was less so than two. Informations had been laid against the criminal before two of the judges (Le Maistre and Hyde) who by committing him for felony, had applied this law to his case without my knowledge or privity. I was indeed applied to by the Council, as to the mode of his confinement; I had no right to revise the acts of the judges; their authority was equal to mine; I did what humanity required; I made the strictest inquiries of the pundits as to the effect of his imprisonment on his caste and religion; I learned that they would not be hurt. I gave directions to the Sheriff, that he should have the best accommodation the gaol would afford; the jailor and his family quitted their apartments and gave them up to him. I directed that every indulgence consistent with his safe custody, should be granted him. These only were my individual acts, and these appear on the report of your committee. If it had

* With regard to Chambers he affirmed, that that judge was anxious to carry the sentence still further by seizing and sealing up all Nuncomar's effects both in Calcutta and Murshedabad.

been just so to do, it was not I but the Court, which must have afforded protection to the criminal because the accuser of Mr. Hastings; it was not I but the Court that must have quashed that indictment: it was not I but the Court which retained the prosecution; had Sir Robert Chambers been over-ruled, it was not I but the Court that could have over-ruled him; it was not I but the whole Court that rejected the appeal,—if there was an appeal—that refused the respite and carried the sentence into execution. All signed the calendar; I executed no act of authority as a magistrate, but sitting in open Court assisted by all the judges; even those acts which are peculiarly objected to me, as mine individually, though I was the proper channel of the Court to pronounce them, are not my individual acts; as Chief Justice I presided in the Court—was the mouth of the Court; all questions put, or observations made by me, were with the judges sitting on my right hand and on my left, those questions and those observations were not mine, but the questions and observations of the Court. I did not presume to make observations in my summing up to the jury, without having first communicated with the judges and taken their unanimous opinion on every article."

And then referring to his own personal character, said:

"It is hardly conceivable that any man whose constant habits of life have been known to be such as mine have been, and there are not wanting members in this house who know both how, and with whom the earlier part of my life, down to the time I quitted this country, had been spent—that I, a man, I will assume to say, who left this country with a character, at least unimpeachable, who maintained that character till May 1775, should in the course of the last month, have been so totally lost to every principle of justice, every duty of office, every sense of shame, every feeling of humanity, to have been so deeply immersed and hardened in iniquity, as to be able deliberately to plan and steadily to perpetrate murder, with all the circumstances with which it is here charged and aggravated.—*Nemo repente fuit turpissimus.*"

"I now finally submit," were his last words, "whether under all the circumstances, with which I have fatigued the house, it be consistent with its candour, wisdom and justice, to put me alone at the bar of the House of Lords, to answer criminally for the judicial acts of an unanimous court."

The speech made a deep impression on the House. Pitt said he scarcely doubted that under all the circumstances of the case, he should have acted as Impey had done. The accusers were staggered and lost heart. Francis appears to have been astounded by the intimation that a copy of Nuncomar's petition, which he himself had consigned to the hangman as a libel on the court, was still in existence. When the committee met after the first hearing of the accused, Francis moved that Sir Elijah Impey should be required to produce a copy of the petition. To this the house objected; the motion was then amended; and it was carried, "that the

speaker should ask Sir Elijah Impey if he had any objection to produce the paper in question." Impey consented to do so; but many days afterwards, when Francis rose to offer an explanation, he could do no more than acknowledge the fact; and accuse Hastings of having betrayed his colleagues, in publishing what had passed in the Secret Department.

This was on the 27th February. On the 28th of April, the evidence having been taken, Elliot began his reply—resumed it on the 7th, and completed it on the 9th of May. It was towards the end of this speech that he read the famous account of the execution of Nuncomar, attributed to Sheriff Macrabie. Sir Richard Sutton, Mr. Pulteney, the Solicitor and Attorney General, and the Chancellor of the Exchequer, spoke in favor of Sir Elijah Impey; Fox, Burke, and Colonel Fullerton supported the impeachment. When the house divided, the motion was lost;—*fifty-five* members voting for, and *seventy-three* against it.

The Patna cause stood next on the list; but as it was then before the Privy Council, the motion for its hearing was negatived; and after some discussion in which Pitt took part, the further consideration of the charges was deferred to that day three months. And so ended the impeachment of Sir Elijah Impey!

He survived his acquittal for nearly a quarter of a century; but took little part in public affairs. Mr. Impey says, that it was intimated to his father by Government, "through a proper channel, that he might even yet return to Calcutta as Chief Justice, and with that seat in the Supreme Council, which he had so earnestly and vainly solicited while in India."* But he wisely determined not again to rush into the burning fiery furnace, which had so nearly destroyed him. Chambers was appointed in his stead.

He, however, turned his thoughts towards Parliament, and in 1780 convassed the borough of Stafford. Here the Sheridan interest opposed him. The Nuncomar charge was not forgotten. His opponents paraded the streets with an effigy of a black man hanging from a gallows. Impey was defeated; but soon afterwards was returned for New Romney.

He was a regular attendant at the house—an useful member of Committee—but he seldom spoke. He felt that it was "too late a week" for him to enter, with distinction, upon a

* Impey had applied for the seat in Council, on the death of Monson—the death of Clavering, and again on the retirement of Barwell.

new theatre of action. His presence seems to have been galling to Fox, Sheridan, and others; and on one occasion he brought down upon his head a shower of vituperation from his own assailants. He replied with dignity, but with spirit; and the attempt to intimidate him does not seem to have been repeated.

We next find Sir Elijah Impey in the character of a country gentleman. In the spring of 1794, he removed from a residence, which he had occupied, on the skirts of Salisbury Plain, to Newick Park, in the county of Sussex; and there, says Mr. Impey, "became a busy and rather enthusiastic horti-'culturist and farmer. I hardly ever saw him on the morning 'of a working day at Newick, without a garden spade in his 'hand; and he took his full share in most of the gardener's 'active operations. He enjoyed excellent health and excellent 'spirits. Time passed pleasantly away. He read, and he 'studied chemistry; fitted up a laboratory and experimentalis-'ed; received his friends; wrote verses; superintended the 'education of his younger children, and corresponded with his 'elder ones; and was beloved and respected by all the mem-'bers of his household."

At the close of 1801, Sir Elijah Impey, with his wife and two of his children set out for Paris, where he had invested a part of his fortune, and was in a fair way to lose it. Here Impey fell in with the *cidevant* Madame Grand, now Madame de Talleyrand; and here took place that remarkable meeting of Mr. and Mrs. Fox—Sir Elijah and Lady Impey—M. and Madame de Talleyrand—Sir Philip Francis and M. Grand, which, in a former article, we ventured to pronounce apocryphal. Mr. Impey, however, vouches for the truth of the story —*and he was there.* We contradict it, on the authority of M. Grand, who declares that he never saw his wife after she left India, and especially denies the truth of the assertion, that he met her at Talleyrand's. The matter is of no importance—though a somewhat curious point of enquiry; for assuredly a more extraordinary meeting never took place before or since.

Having settled his business—or rather having had it settled for him, for he lost his money, and was nearly losing his liberty—Impey returned to England. In the course of 1804, the family was again reunited at Newick. "The event," writes Mr. Impey, "of my dear father's arrival and reception there 'lives still fresh and joyous in my memory, as the old family

'coach-and-four, which had met us at East Grinstead, drove 'through the Newick turnpike, and, rolling over the beautiful 'rural green, passed the scattered hamlet: in its approach to 'the Church, we were greeted from the steeple by a merry 'peal of bells; handkerchiefs waved from every cottage win-'dow, and we were accompanied up Fount Hill, and through 'the Park lodge by a band of honest peasants, who ran at each 'side of the coach, shouting a hearty welcome to the good old 'man, who had so often encouraged their labours and assisted 'at their pastimes."

Impey was, at this time, seventy-two—but his trials were not over. He had not been long settled at Newick when he received from India, the heart-breaking tidings of the death of his beloved son Hastings. He never wholly recovered from the shock; though outwardly, after a time, he recovered his wonted spirits. Up to the year of his death he appears to have been healthy, cheerful and active; and in the enjoyment of constant social intercourse with his old friends, including the oldest—Hastings. He fell sick at last, in September 1809; but made light of his ailments, and seemed, above all things desirous, not to distress or alarm his family. But the truth could not long be disguised. He rapidly grew worse; and though he retained his memory and all his intellectual faculties, and indulged in the old Latin quotations to which he was ever prone, it was obvious that death was approaching. On the 1st of October, he breathed his last, "surrounded by an afflicted family, in charity with all men and in communion with the holy Protestant Church of Christ." "The last and most affecting trait of his character," writes Mr. Impey, "whilst sense and sensibility yet remained, was displayed in the tenderness with which he treated, in his very last moments, a female servant, who assisted in removing him from the sofa to his bed. He had leaned upon her bosom, so as to produce a slight ejaculation of pain. 'Did I hurt you, my dear?' were his last distinguishable words." In the family vault at Hammersmith, where a monument is erected to his memory, repose the ashes of the first Chief Justice of Bengal. His reputation has survived the calumnies of party; and our sons will yet do him the justice which our fathers have denied.

ART. VI.—*A Pamphlet on the Salt Trade of India, by D. C. Aylwin of Calcutta. London, Printed by Madden and Malcolm. Leadenhall Street,* 1846.

THE appearance of this pamphlet, which would have been more properly termed "a pamphlet on the Salt trade of Bengal," has induced us to lay before our readers the following account of the source from which the Government of India derives a clear annual revenue of more than £2,000,000 sterling, and upon which it depends for at least one-eighth of the means necessary, but hardly sufficient, to preserve the security and maintain the institutions of the country. We intend however on the present occasion to confine ourselves to a consideration of this branch of the public resources in the Bengal Presidency, including the North West provinces, because it is to the modification of the system on which the salt duty on this side of India is realized, that the efforts of Mr. Aylwin and his patrons, the Chamber of Commerce of the White Salt trade, are mainly directed. The tax levied on the manufacture of salt in the Bombay and Madras presidencies is light in amount, and too indirectly connected with the trade between England and India to attract the attention, or rouse the indignation, of the Cheshire philanthropists. It is true that Mr. Aylwin's speech at the Blackburn meeting, in which he uttered his most hyperbolical and fabulous description of the atrocities practised at Madras in the collection of the salt revenue, was listened to in decent horror, and possibly received with profound credence; but we do not find that these alleged atrocities were made the foundation of any of the proposals brought forward by the mixed body of misinformed gentlemen, who afterwards waited upon the President of the Board of Control to petition him to abolish "the monopoly." We must therefore beg the forgiveness of our readers for dismissing this part of the subject with a brief remark that at Bombay the revenue is raised by an excise duty of twelve annas a maund on the manufacture of salt, and at Madras, by a similar duty of one rupee. The gross revenue at the former presidency in 1843-44 was Rs. 18,60,563, and at the latter Rs. 43,21,604.

We must commence by protesting against the use of the term "monopoly," which, in reference to the system under which the revenue from salt is now realized in Bengal, is wholly without meaning. This odious word, which since the reign of Queen Elizabeth, has conveyed to English ears a sense more hateful even than the reality, has tended, more than any prac-

tical evidence of the injurious influence of the salt tax upon the condition of the people, to expose this branch of the resources of the Indian Government to a degree of obloquy which might have been altogether escaped if the same amount of revenue had been raised from the first, as it now virtually is, by a combined system of customs and excise. It happens too, that one of the most oppressive taxes ever imposed by a despotic Government, the French Gabelle, should have proverbially inclined men to suppose that the effects of a tax upon salt must of necessity, from its very nature, be grinding upon those subject to it, whether it be light or heavy in amount, whether it be imposed upon a lightly taxed community, or upon one already overburthened with fiscal imposts. The same feeling is induced by the recollection of the English salt tax, repealed in 1825,—a tax which, if imposed in moderation on an article of great bulk and small value, would, in the opinion of high authority, at this time have added a million sterling to the revenue of the British Empire without being felt by the consumer, but which, having been foolishly raised to nearly 3,000 per cent. upon the prime cost of the article, prohibited consumption except for culinary purposes, and thus, as well as by the inquisitorial machinery necessary for its collection, excited such a degree of unpopularity as to render its entire abolition an unavoidable sacrifice to public indignation.

That we are justified in our assertion that the term "monopoly" is inapplicable to the system under which the revenue is at present raised in the Bengal Presidency, will be evident to any one who will take the trouble to examine in the most cursory manner the real facts of the case. Of Rs. 2,34,95,069 derived from salt in 1845-46, Rs. 37,90,886 were raised by customs duty on salt imported by land from the producing districts on the North West frontier, Rs. 43,70,696 by a similar duty on salt imported by sea into Bengal, and Rs. 1,53,33,487 by the sale of salt manufactured not by, but on account of, the Government. That the Government possesses a monopoly, that is, the sole privilege of selling salt in the presidency of Bengal, is at once negatived, not only by the existence of a free permission to other parties to sell, but by the fact that in 1845-46, 15,81,144 mds. were actually imported on private account by sea, principally from England, Bombay and the Persian Gulf, and sold to the retailers after payment of the fixed duty. The only real privilege which the Government does possess by law, and which would be absolutely necessary for the security of the revenue, even if the duty were levied on home-made salt in a manner more nearly resembling that

in which excise duties both in England and India are usually collected, is that of prohibiting the manufacture except under certain conditions. Those conditions are, that all the salt shall be delivered to the agents of Government, appointed for that purpose, at a price fixed long before the manufacture takes place and well known to the people engaged in it. The price varies from seven to twelve annas a maund, and is fixed at a rate calculated to afford the manufacturers a fair profit, such as they would derive from their trade if it were free from all restrictions; to this is added the actual cost of transporting and storing the salt, and of guarding it after it has been stored; and these items, together with the fixed amount of duty levied on imported salt, constitute the price at which it is deliverable at the public warehouses in quantities of not less than fifty maunds. By the use of the word "monopoly" people are led to imagine that the Government possess and exercise the power to depress the interests of the manufacturer, and to derive a profit from the necessities of the people or the fluctuation of trade; whereas, in effect, the Government only say to the manufacturers, "Instead of paying us a duty of two rupees and 'twelve annas upon every maund of salt you make and sell '(to secure which payment it will be necessary to subject 'you to all kinds of inconvenient restrictions) deliver us 'your salt at a fair remunerative price, and we will realise 'the duty, through the wholesale dealers, from the consumer." And to the wholesale dealers, "Instead of collecting your 'salt in small quantities from the molunghees at a hundred 'different places in the Sunderbuns and other seaboard dis-'tricts, and paying us through them, in driblets, the duty 'of two rupees and twelve annas on every maund, you may 'purchase at our warehouses in quantities of not less than 'fifty maunds, (under two tons) at fixed and advertised prices, 'equal in each case to the prime cost of manufacture and 'storage added to the duty aforesaid; unless indeed you 'prefer the imported salt upon which duty has already been 'paid and which the owners are free to dispose of as they 'please." The Government, in short, do nothing more than step in between the manufacturer and wholesale dealer, without interfering with the profits of either and take the salt from the former as security for the payment of the fixed duty by the latter.

That this plan is agreeable to the manufacturers themselves we propose to shew more fully in the sequel. We will here only advert to the fact, that in 1845 the Cheshire salt proprietors, actually proposed to the Court of Directors

to enter into an engagement to deliver to the public authorities in India a supply of salt on similar terms, instead of importing it, like ordinary merchandise, subject to the payment of customs duty. This offer was of course declined, and we apprehend the Government would be equally well pleased to wash its hands of the enormous labor and risk involved in the annual purchase and sale of from forty to fifty thousand maunds of home made salt, if they could be satisfied of the possibility of raising an equal or nearly an equal amount of revenue, with equal or nearly equal facility and convenience to all parties, under any other plan. That the present system is agreeable to the wholesale dealers needs no demonstration. Of its effect on the consumers we shall speak hereafter. We only here desire to affirm, in limine, that none of the features of a monopoly are incidental to the existing mode of levying the salt tax, and whatever be the merits or demerits of the tax itself, and of the method of collecting it, we request our candid readers to judge of them by reference to actual facts and consequences, and not by the mistaken use of an inappropriate byeword.

We now proceeed with our history. Under the Mahommedan Government an ad valorem duty of five per cent. payable by Gentoos, and two and a half per cent. payable by Mussulmans, was levied at Hoogly on the wholesale price of salt transported into the interior of the country. After the East India Company had acquired possession of Calcutta and the 24-Pergunnahs, their officers levied a chokey or transit duty on all boats conveying salt from the manufacturing aurungs or districts, and likewise imposed upon the manufacture within the limits of the Company's territory a rent of three rupees per khalary, or Salt Work. These imposts were commuted in 1762 to a consolidated tax of thirty rupees per khalary, but shortly afterwards in order to reimburse the Company for the liquidation of certain balances due by the molunghees or manufacturers to the farmers of the revenue, a further tax was imposed of ten rupees on every 100 maunds of salt produced at the said khalaries. Each khalary was supposed to be capable of yielding from 250 to 300 maunds in the season, and the quantity ordinarily produced being about 25,00,000 maunds, the revenue which the East India Company ought to have received under these arrangements may be estimated at about five lakhs of rupees, or £50,000*l.* sterling a year. We regret that it is not in our power to inform our readers what amount of revenue was actually realised on account of salt previous to 1765, but the evidence taken before the Select

Committee of the House of Commons in 1773 leaves no doubt, that the malversation of the farmers and the mismanagement and connivance of the Company's servants, left but a small proportion of it to find its way in the shape of net profit into the public treasury.

It was not until the end of 1757, that the servants of the Company and other Englishmen began to trade with the natives in salt, and although they claimed a general exemption from all duties under the Emperor's firman, yet in practice they appear to have paid to the Nawab the established duty on salt, in addition to the tax levied by the Company's Government. In 1763 it was settled in the treaty concluded by Mr. Vansittart with Nawab Kasim Ali Khan at Monghyr, that the transit duty levied by the latter on salt taken by Englishmen into his dominions should be raised to nine per cent. But the Council at Calcutta refused to ratify this engagement, which they asserted was entered into by their President without their concurrence, and the English were afterwards, on the accession of Jaffir Ali Khan to the viceroyalty, placed on a footing with the Mahommedan subjects of the Emperor, and permitted to trade in salt on payment of the lower rate of duty, or two and a half per cent. This state of things continued until the assumption of the Dewany by Lord Clive, on the part of the East India Company, in 1765.

Previous to this period the price of salt seems to have been subject to great fluctuation. From the evidence taken before the Select Committee appointed by the House of Commons in 1773, it appears that the price of salt at Calcutta, including the khalary and transit duties levied on behalf of the East India Company, was as follows :—

In 1761	.. ..	Rs.	156	at	170	the 100 mds.	
1762	.. ..	„	100	at	170	„	„
1763	.. ...	„	159			„	„
1764	.. ...	„	60	at	101	„	„
1765	.. ..	„	95	at	150	„	„

Mr. William Bolts, a merchant of Calcutta, who was one of the principal witnesses examined before the Committee gave the following evidence on the subject :

"The khalary or ground duty upon the making of salt, all over Bengal and Orissa, was always extremely inconsiderable, before the establishment of the regulations made by the various Committees of the English Council at Calcutta, from the year 1762 to the present time; insomuch that a salt merchant making his salt at first hand, in a great part of the salt countries could have made, transported, and landed his salt in Calcutta, within the expense of twenty-five Rupees per hundred maunds.

In the year 1762 and 1763, I was myself concerned in a large parcel of salt which being imported from the provinces of Jellasore and Midnapore, and landed on the shore opposite to Calcutta, ground duty and all charges included, stood the concerned at the rate of fifty-five Rupees per hundred maunds; upon the exportation of salt from Calcutta on our own account, I, and my partners always paid the rowanah duties established with the country Government; and upon the stoppage of some of our boats for the new duties, after Governor Vansittart had settled the Monghyr treaty with the Nawab Kasim Alli Khan, we actually paid the duty of nine per cent, established by that treaty during the contest upon that subject, to avoid any appearance of a dispute upon the value of the duty.

The medium of the charges of transporting the above mentioned salt from the provinces of Jellassore and Midnapore to Calcutta, was about 7, 3-16th rupees per hundred maunds.

The Committee of lands at Calcutta, during Mr. Vansittart's Government, about the year 1762, established a ground duty, which continued to 1764, upon all salt made in the Company's twenty-four-Pergunnahs, of thirty Sicca rupees per khalary, or set of salt pans which were estimated to produce in one season from 250 to 300 maunds each khalary; that duty was established as an improvement of the Company's revenue, which it certainly was, but it was at that time looked upon as a great encroachment on the laws of the country; upon the establishment of the Exclusive Society, by the Right Honorable Lord Clive and the Select Committee at Calcutta, in 1765, the above khalary duty was by their regulations abolished, though afterwards said to be continued, and salt throughout the country was subjected by that Committee to a duty of thirty-five per cent. valuing the salt at ninety Arcot rupees per hundred maunds; and in the year 1766 they fixed this duty at fifty per cent. By a paper in my possession, which is a copy transmitted to me from Bengal, of an order published in the Bengal language, by the Governor and Council of Calcutta, dated the first of April 1769, it appears the whole and sole duty on salt was fixed at thirty rupees per hundred maunds payable upon the dispatch of the salt from the pans.

Before the establishment of the before mentioned Exclusive Society, Calcutta had so far become a general repository and mart for salt, that it was from thence transported to every part of the country, even to Luckypore and other places, much nearer to the salt grounds than Calcutta; so that the prices which salt could have afforded to be sold for at all the inland places, upon a free inland trade, may be very nearly and fairly computed by calculating the risk and charges to the respective markets, and adding them, with an equitable profit, to the Calcutta price."

From this it appears that previous to 1765, salt, after paying the khalary, and other duties levied by the East India Company, could be landed at Calcutta at from forty-five to fifty-five rupees the 100 maunds, and that, the prices there ranging from 170 to 95 rupees, the trafic yielded a clear profit of from 80 to 400 per cent. The price of salt at Patna during 1762 and 1763 varied from 270 to 330 rupees the 100 maunds, being on an average 167 rupees higher than Calcutta prices at the same time.

The abuses of the inland trade, which, under a forced construction of the imperial firmans, and a charter extorted from

Jaffir Khan, was carried on both by the East India Company's servants and private merchants, without payment of any duty except the trifling one of two and a half per cent. on salt, and which, it was justly feared, might involve the Company in fresh disputes with the native Government, led the Court of Directors on the 8th of February 1764 to issue positive instructions to the Governor and Council to prohibit it. These instructions are of sufficient importance to justify us in giving them to our readers at length, and we desire to draw their attention to the fact that the Court's prohibition is not directed against the realization of the Company's revenue from the manufacture of salt at the rate already mentioned—this on the contrary they entirely approved of—but against the connexion of their own servants or any Europeans with the internal trade of the country :—

"One great source of the disputes, misunderstandings, and difficulties, which have occurred with the country Government, appears evidently to have taken its rise from the unwarrantable and licentious manner of carrying on the private trade by the Company's servants, their Gomastahs, Agents, and others, to the prejudice of the Subah, both with respect to his authority and the revenues justly due to him; the diverting and taking from his natural subjects the trade in the inland parts of the country, to which neither we, nor any persons whatsoever, dependant upon us or under our protection, have any manner of right, and consequently endangering the Company's very valuable privileges. In order therefore to remedy all these disorders we do hereby positively order and direct:

'That from the receipt of this letter, a final and effectual end be forthwith put to the inland trade in salt, beetle nut, tobacco, and in all other articles whatsoever, produced and consumed in the country; and that all European and other Agents, or Gomastahs, who have been concerned in such trade, be immediately ordered down to Calcutta, and not suffered to return, or be replaced as such, by any other persons.

'That as our Firmaun privileges of being duty free are certainly confined to the Company's export and import trade only, you are to have recourse to and keep within, the liberty therein stipulated, and given, as nearly as can possibly be done. But as by the connivance of the Bengal Government, and constant usage, the Company's covenanted servants have had the same benefit as the Company, with respect to their export and import trade, we are willing they should enjoy the same, and that dustuks be granted accordingly; but herein the most effectual care is to be taken, that no excesses or abuses are suffered upon any account whatsoever, nor dustuks granted to any other than our covenant servants as aforesaid. However, notwithstanding any of our former orders, no writer is to have the benefit of a dustuk, until he has served out his full time of five years in that station. Free merchants and others are not intitled to, or to have the benefit of the Company's dustuks, but are to pay the usual duties.'

We are under the necessity of giving the beforegoing orders, in order to preserve the tranquillity of the country, and harmony with the Nawab; they are rather outlines than complete directions, which you are to add to, and improve upon, agreeably to the spirit of and our meaning in them, as may be necessary to answer the desired purposes. And if any person or

persons are guilty of a contravention of them, be they whomsoever they may, if our own servants, they are to be dismissed the service; if others, the Company's protection is to be withdrawn, and you have the liberty of sending them forthwith to England, if you judge the nature of the offence requires it."

In consequence however of a resolution of the General Court of Proprietors, the Court of Directors were induced on the 1st June 1764, to send out a dispatch, which, professing to modify their previous instructions of the 1st February, in fact altogether superseded them, and left the local Government at liberty to act as they pleased. That they would act in a manner most advantageous to the servants of the Company, and with the least possible regard to the interests of their employers, or of any one else, might have been inferred from the whole course of previous occurrences. And such indeed was the result. Thus write the Honourable Court:—

"For the reasons given in our letter of the 8th of February last, we were then induced to send positive orders to put a final and effectual end to the Inland Trade in salt, betel-nut, tobacco, and in all other articles whatsoever, produced and consumed in the country. To the remarks we made in that letter we must add one observation, which is, it appears very extraordinary, that, in a trade so extremely lucrative to individuals, the interest of the Company should not have been at all attended to or considered.

Those orders were sent, it is true, before we received the new treaty you entered into with Jaffir Ali Khan, upon his re-establishment in the Subahship; in which it is agreed, that the English shall carry on their trade by means of their own dustuks, free from all duties, taxes, and impositions, in all parts of the country, except in the article of salt, on which a duty of two and one-half per cent., is to be levied on the rowanah, or Hoogly market price; wherein it is further agreed, that the late perwannahs, issued by Kasim Ali Khan, granting to all merchants the exemption of all duties, for the space of two years, shall be reversed and called in, and the duties collected as before.

These are terms which appear to be so very injurious to the Nawab, and to the Natives, that they cannot, in the very nature of them, tend to any thing but the producing general heart-burnings and dissatisfaction; and consequently there can be little reason to expect the tranquillity of the country can be permanent. The orders therefore in our said letter of the 8th February are to remain in force, until a more equitable and satisfactory plan can be formed and adopted; which it is impossible for us to frame here, destitute as we are of the informations and lights necessary to guide us in such an important affair.

You are, therefore, hereby ordered and directed, as soon after the receipt of this as may be convenient, to consult the Nawab as to the manner of carrying on the inland trade, in salt, betel-nut, tobacco, and the other articles produced and consumed in the country, which may be most to his satisfaction and advantage, the interest of the Company, and likewise of the Company's servants.

You are therefore to form a proper and equitable plan for carrying on the said trade, and transmit the same to us, accompanied by such explanations,

observations, and remarks, as may enable us to give our sentiments and directions thereupon, in a full and explicit manner.

In doing this, as before observed, you are to have a particular regard to the interest and entire satisfaction of the Nawab, both with respect to his revenues, and the proper support of his Government; in short, this plan must be settled with his free will and consent, and in such a manner as not to afford any just grounds for complaint.

In the next place, the utmost care and attention must be bestowed in forming the said plan, that, in some proper mode or shape, a just and equitable consideration be secured for the Company."

Lord Clive left England the second time on the 4th of June 1764, aware of the resolution of the General Court, and probably of the dispatch founded upon it, which indeed went out in the same ship with him. Although, before quitting England he had written to the Directors, strongly urging them absolutely to forbid their servants to trade in salt, yet in consequence of the recent change in the expressed views of the Court, he appears to have occupied himself on the voyage in forming a plan for carrying on the inland trade in this article for the benefit of the Company's servants, and this plan when matured by subsequent consultation with the other members of the Local Government, resulted in the formation of the famous Society of Trade.

Clive landed in Bengal on the 3rd May 1765, and before the end of that month, he entered into a trading partnership with Messrs. Sumner, Sykes, and Verelst, not indeed for his own individual profit, but for the benefit of the three gentlemen, Messrs. Strachey, Maskelyne and Ingham, who accompanied him from England, and for whom he felt himself bound to provide. It was not however until the 10th August that any formal steps were taken to organize a plan for regulating the inland trade. On that date the Select Committee, at which only Messrs. Sumner and Verelst were present, came to the following resolutions:—

"In conformity to the Hon. Co.'s orders, contained in their letter of the 1st of June, 1764, the Committee now proceed to take under their consideration the subject of the inland trade, in the articles of salt, betel-nut, and tobacco, the same having been frequently discoursed of at former meetings, and Mr. Sumner having lately collected the opinions of the absent members at large on every circumstance, it is now agreed and resolved, that the following plan for conducting this trade shall be carried into execution, the Committee esteeming the same the most correspondent to the Company's orders and conducive to the ends which they have in view, where they require that the trade shall be put upon such a footing as may appear most equitable for the benefit of their servants, least liable to produce disputes with the country governments, and wherein their own inter-

est, and that of the Nawab, shall at the same time be properly attended to and considered.

First, that the whole trade shall be carried on by an exclusive Company formed for that purpose, and consisting of all those who may be deemed justly entitled to share; that a proper fund shall be raised, by a loan at interest, for the supply and support of the same, and that it shall commence in the month of September ensuing or as soon after as may be found most convenient.

Secondly, that the salt, betel-nut, and tobacco, produced in, or imported into, Bengal, shall be purchased by this established Company; and public advertisement shall be issued, strictly prohibiting all other persons whatever, who are dependant on our Government, to deal in those articles.

Thirdly, that application shall be made to the Nawab, to issue the like prohibition to all his officers and subjects of the districts where any quantity of either of those articles is manufactured or produced.

Fourthly, that the salt shall be purchased by contract, on the most reasonable terms, giving the preference to the factories of Dacca, Chittagong, Burdwan and Midnapore, for the produce of their respective districts; to the Fouzdar of Hoogly, and the other Zemindars, for the produce of Ingellee, Tumlook, Mysidole, &c. and to such persons as may offer the most reasonable proposals for the quantity produced in the Calcutta lands.

Fifthly, that the betel-nut and tobacco shall, in like manner, be purchased by contract, under such terms and conditions as, upon proper enquiry, shall appear to the managers to be most conformable to the interest of the concerned.

Sixthly, that the contractors for the salt shall agree to deliver it at certain fixed places, at a stipulated rate per 100 maunds, comprehending such an advance upon their contracts with the zemindars and molunghees, as may be esteemed an equivalent to their risk, trouble, and bad debts.

Seventhly, that as the advances will be made by the contractors to the zemindars, &c. at certain periods of the season, in the usual manner, so shall the advance from the public Company to the contractors be made in proportion thereto.

Eighthly, that the salt, betel-nut, and tobacco, thus purchased by the public Company, shall be transported to a certain number of places for sale, to be there, and there only, disposed of by their agents; and that the country merchants may then become the purchasers, and again transport the articles whither they think they have the greatest prospect of profit.

That by this means, not only the frequent oppressions the inhabitants of the country have suffered, by Europeans having permission to traverse to every place for the sale of those commodities, will be put a stop to, but by thus reserving to the natives and merchants a competent share of the profits, both in the purchase and sale, we may hope for the good effect of removing the general odium that has prevailed, from our seeking to deprive them of every part of that trade.

Ninthly, that as it is apprehended some difficulty will arise in securing the produce of the Dacca and Chittagong districts, by reason of the property of the land being scattered in a number of hands, all dependant on the Government; it is agreed, that application shall be made to the Nawab for perwannahs on the several zemindars of those districts, as well as those of Hoogly, &c. strictly ordering and requiring them to contract for all the salt that can be made on their lands with the English alone and forbidding the sale to any other person or persons whatsoever.

Tenthly, that the Honorable Company shall either share in this trade as

proprietors or receive an annual duty upon it as may appear to be most for their interest, when considered with their other engagements and demands at this presidency.

Eleventhly, that the Nawab shall in like manner be considered, as may be judged most proper, either as a proprietor, or by an annual nuzzerana, to be computed upon inspecting a statement of his duties on salt in former years.

Twelfthly, that the manner in which the Honorable Company and the Nawab shall be considered being once determined, the remainder of this trade shall be divided amongst the Company's servants arranged under certain classes, and each class to share a certain proportion of the capital stock.

Thirteenthly, that a Committee of Trade shall be appointed to receive the management of this plan, and prosecute the same in all its branches; and that they shall be immediately authorized to take measures for raising the fund at interest, and to receive proposals and settle the contracts; and further, that for their assistance in this work, a person shall be appointed in the quality of their secretary and accomptant: the foregoing regulations, the Select Committee judge, will be found a sufficient ground work for commencing this trade, to be improved hereafter as circumstances may occur and direct, and it is therefore "Agreed," that they be delivered over to the Committee of Trade, as soon as they are appointed, with instructions to proceed in raising the money and making the contract."

These resolutions having been adopted by the Council, after a faint protest by Messrs. Gray and Leycester on the ground of want of due authority on the part of the Select Committee to frame regulations of this nature, the constitution of this self-created Exclusive Company was further settled and defined in a minute of the proceedings of the Select Committee, dated the 18th September, 1765, on which occasion Lord Clive presided, and General Carnac and Messrs. Sumner, Verelst and Sykes were the members present. This minute bears so importantly on the subject we are considering, and at the same time affords so amusing a specimen of the official morality of those days, that, at the risk of being thought tedious, we cannot refrain from presenting it to our readers entire:—

"Resuming the consideration of the plan for carrying on the inland trade, in order to determine, with respect to the Company, and the classes of proprietors, the Committee are unanimously of opinion, that whatever surplus monies the Company may find themselves possessed of after discharging their several demands at this presidency, the same will be employed more to their benefit and advantage in supplying largely that valuable branch of their commerce, the China trade, and in assisting the wants of their other settlements; and that it will be more for their interest to be considered as superiors of this trade, and receive a handsome duty upon it, than to be engaged as proprietors in the stock; bestowing therefore all due attention to the circumstance of the Company's being at the same time the head and masters of our service, and now come into the place of the country Government, by his Majesty's Royal Grant of the Dewany, it is agreed, that the inland trade in the above articles shall be subject to a duty to the Company, after the following rates, which are calculated according to the best judgment we can form of the value

of the trade in general, and the advantage which may be expected to accrue from it to the proprietors.

On salt, 35 per cent. valuing the 100 maunds at the rate of 90 Arcot Rupees, and in consideration hereof the present khalary duty to be abolished.

On betelnut, 10 per cent. on the prime cost.

On tobacco, 25 per cent. on do.

By this calculation, we hope may be produced a clear revenue to the Company, of at least £100,000 sterling per annum; and should it appear, upon further experience of the trade, that the profits will admit of an increase in these rates of duties, we hereby resolve, that a fair and impartial representation of the same shall be made to our honorable masters, in order to receive their directions, as it is our fixed determination to render them all possible satisfaction on this point.

With respect to the proprietors, it is agreed and resolved, that they shall be arranged into three classes; that each class shall be entitled to so many shares in the stock, and that a certain capital stock shall be agreed upon, in order to ascertain the value of each share.

According to this scheme, it is agreed, that class first shall consist of the governor, five shares;—the second, three shares;—the general, three shares;—ten gentlemen of council, each two shares—twenty shares;—two colonels, each two shares—four shares;—in all, thirty-five shares for the first class.

The class second shall consist of one chaplain, fourteen junior merchants, and three lieutenant colonels, in all eighteen persons, who shall each be entitled to one-third of a councillor's proportion, or two-thirds of one share, and which makes in all twelve shares for the second class. We mean always to include in this number such junior merchants as the Company have thought proper to fix in the service; who, as well as the factors in the next class, that may be restrained from rising as covenant servants, shall, however, be entitled to their full share of the advantages of this trade.

The class third shall consist of thirteen factors, four majors, four first surgeons, at the presidency, two first surgeons at the army, one secretary to the council, one sub-accountant, one Persian translator, and one sub-assistant warehouse keeper; in all twenty-seven persons: who shall each be entitled to one-sixth of a councillors's proportion, or one-third of one share; and which makes in all eight shares for the third class.

It is necessary, however, to be observed, that by this arrangement it is intended, and it is accordingly hereby ordered, that twelve shares in this trade shall be allotted to eighteen persons; composed of the first senior and junior merchants, lieutenant colonels, and chaplain or chaplains; all exceeding that number of those ranks, must stand excluded until they can be included in it; and chaplains, be they more or less, to be reckoned only as one senior or junior merchant.

That eight shares in this trade shall in like manner always be allotted to twenty-four persons, composed of the senior factors, majors, surgeons, and the three officers above specified; all exceeding that number of those ranks are not to share till they can be included in it.

The Committee have thus settled the arrangement of the classes, and the shares in the stock; but they leave to the Committee of Trade to ascertain the amount of the capital, as they must be the most competent judges of what fund will be required.

That the trade may meet with no interruption, and for the better regulating the same, the Committee of Trade may, from time to time, form bye-laws, which having been communicated, approved and signed to by the body of

proprietors, they (the Committee,) shall be empowered to enforce and carry into execution.

That the books of the Society shall be opened the first of every September, and closed the 31st of the following August: that for the present year, all persons, who shall from this time be deemed proprietors, and whose names shall be enrolled by the Committee of Trade, agreeably to this scheme of distribution, shall be entitled to their proportion of profits arising on the trade, during the course of the year, whether absence or death should ensue; and so in all future years, after the names of the persons, who may compose the classes, shall have been regularly enrolled.

Resolved, that no person shall share in a double capacity, and receive a benefit at the same time from his rank in the service, and from such employment as he may happen to enjoy.

Ordered, that a copy of these proceedings be prepared, and laid before the Council, that they may transmit the same, with their directions, to the Committee of Trade."

The Committee of Trade appointed to manage the affairs and watch over the interests of the Society were no others than Messrs. Sumner and Verelst, two of the members of the Select Committee, and Messrs. Leycester and Gray, the "protesting" Members of Council. They were empowered to correspond with the chiefs of all the subordinate factories belonging to the East India Company in the interior, and those functionaries were enjoined to pay due regard to all their instructions. In reporting these arrangements to the Court of Directors, Lord Clive, who wrote in his own behalf, as well as the Select Committee, and the Council generally, endeavoured to uphold the necessity and propriety of them by every argument that ingenuity, prompted by a keen sense of self-interest, could suggest. Lord Clive hinted that the duty upon salt payable to the Company would bear an increase in the following year, and the Select Committee after observing that the grant of the Dewany would augment the Company's receipts from salt to £120,000 a year, wound up their dispatch with the following remarkable, because as the sequel proved, utterly fallacious words:—"However, should it either 'appear that we have mistaken the Company's real interest, or 'that the profits of the trade will admit of increased duties, it 'is our resolution to give all possible satisfaction on these 'points to our honorable masters, and to lay before you a fair, 'full, and candid representation of the amount of the costs, 'charges, and sales of the first year."

The first step taken by the Committee of Trade was to obtain from the local Government (of which, as we have already stated, they were all members) a deed for securing to the Society, the free and sole purchase of salt, betel-nut and tobacco, in the provinces of Bengal, Behar and Orissa for one

year, and a promise of application to the Court of Directors to renew the same "for the future concerns, in case the Court should approve of the general plan of the Society." From the evidence taken before the Select Committee in 1773, it appears, that such a deed was drawn by one Richard Whittall, a sworn attorney of the Mayor's Court, at Calcutta, and duly executed on the 18th September 1765, and that a further deed was executed in favor of the Committee of Trade in 1767, by which, after the cessation of its privileges, a sufficient time was allowed to the Society to dispose of such stock as might be provided for the season, "in order to prevent the great loss that must arise to the proprietors should any alteration take place by order of the Court of Directors after the concerns for the year had been begun and before they were concluded." With the consent of the local Government, European Uncovenanted Agents were appointed by the Committee to reside at Gowalparah, Dinagepore, Durbhangah, Rungpore, Sylhet, Caragolah, Nawabgunge, and Chilmarie; but in order to meet the objections of the Court of Directors against permitting "free merchants" to reside in the interior of the country, their agents were required, under a penalty of Rs. 30,000 each, to confine themselves "scrupulously and strictly" to the sale of salt, &c. committed to their charge, to carry on no trade or commerce except for the benefit of the Society, to lend no money to the Zemindars or to any persons connected with the Government, to assume to themselves no judicial power or authority whatever, and not to "interfere directly or indirectly with any business relative to Government, or by any means whatever give interruption to the collections, or just cause of complaint to the administration."

On the 12th June 1766, the Committee of Trade, without any apparent authority from Government, passed the following resolution:—"That in order to prevent the purchasers, by 'having engrossed the whole salt to be disposed of in the different districts, raising the price in the bazars so high as to be an 'oppression to the inhabitants, we resolve ourselves to regulate, 'in case of complaint, the price salt shall be sold at in the 'bazars by retail, which shall be settled in such a manner that 'the purchasers of the Committee may be enabled to make 13 'per cent. profit, if sold on the spot, and 17½ if transported from 'the place they purchase it at, allowing for risk and charges." And they accordingly began to compel the native merchants, who purchased salt of them or their agents, to bind themselves by contract not to demand more than a certain price from the parties to whom they retailed it. Two months afterwards,

Lord Clive, as President, charged certain merchants before the Select Committee, with having sold salt at a higher price than that to which they were limited by their contracts; and the Select Committee, consisting of the President, General Carnac, and Mr. Verelst, after taking the *confession* of the agent of one of the parties accused, sentenced them to refund their surplus profit of rupees 41,535, "the same to be appropriated to such good and charitable purpose as the Governor and Council shall direct," or, in case of refusal, to forfeit the Hon'ble Company's protection. We have been unable to discover whether this fine was ever paid, or, being paid, to what good and charitable purpose it was devoted. The gross injustice of the proceeding is equalled only by the absurdity of attempting by forcible means to limit the profits of the native dealers, an attempt worthy of Nadir Shah and of those who quote him as an example to be followed in the nineteenth century.

The Court of Directors received the report of the formation of the Society of Trade with unqualified disapprobation. In their dispatch of the 17th May, 1766, after recapitulating the substance of their former instructions, and shewing that, from the first knowledge they had of their servants being engaged in the inland trade, they had strongly discountenanced and forbid it, they proceeded to address the Select Committee in the following decided language:—

"You now desire our concurrrence in it for the advantage of the Company, and of the Company's servants.

With respect to the Company, it is neither consistent with their honour, nor their dignity, to promote such an exclusive trade. As it is now more immediately our interest and duty to protect and cherish the inhabitants, and to give them no occasion to look on every Englishman as their national enemy, a sentiment we think such a monopoly would necessarily suggest; we cannot therefore approve the plan you have sent us for trading in salt, betel-nut, and tobacco, and do hereby confirm our former orders, for its entire abolition.

And we must here obseve to you, that we continue in the same opinion which you find expressed in our letters of the 24th December and 19th February last, that every one concerned in this trade, even before receipt of our letter of the 1st June, 1764, has been guilty of a breach of his covenants.

The opinions of the first lawyers in this kingdom confirm our sentiments; and whenever we receive the list of the claims for restitution, we shall then with precision know whom we are to call to account for their illicit practices. We are fully sensible that these innovations and illegal traffic, laid the foundation of all the bloodshed, massacres, and confusion, which have happened of late years; we cannot suffer ourselves to indulge a thought towards the continuance of them, upon any conditions whatsoever. No regulations can, in our opinion be formed, that can be effectual to prevent the like consequences which we have seen. We consider it as too disgrace-

ful, and below the dignity of our present situation to allow of such a monopoly; and were we to allow of it under any restrictions, we should consider ourselves as assenting and subscribing to all the mischiefs which Bengal has presented to us for these four years past. At the same time we do not mean, that the ancient duties upon those commodities which constitute part of the revenues of Bengal should be abolished, but we leave the adjustment of those duties to your judgment and consideration."

But before the receipt of these instructions and in spite of former equally positive commands to abandon the inland trade, "whatever Government might be established, or whatever unforeseen circumstances, might arise," the Select Committee, consisting of Lord Clive as President, General Carnac, and Mr. Verelst, had on the 3d September, 1766, determined to continue the existence and privileges of the Society of trade, *in regard to the article of salt*, for another year,—alleging as the ground of their disobedience that the Court of Directors, at the time of writing their dispatches, "could not have had the 'least idea of the favourable change in the affairs of these 'provinces, whereby the interest of the Nabob, with regard to 'salt, is no longer immediately concerned;" at the same time new regulations were framed for increasing the duties of the Company on salt from thirty-five to fifty per cent., for reserving to the Company's servants a "reasonable share" of emolument, and for giving greater advantages to native dealers and agents than had before been conceded to them. These regulations declared that all salt provided by the society of trade should be sold at Calcutta and at other places of manufacture, but no where else; that the price of salt so sold should not exceed two Rupees a maund; that the salt should be sold to natives for transport into the interior, and that no European, whether Company's servant or not, or native servant of an European, should be concerned in the sale of salt except at the places of manufacture; that a certain price should be fixed for the sale of salt at every place throughout the country, "according to the distance and former custom;" and that parties selling salt "for one cowry above the stipulated price" should not only forfeit all the salt found in their possession, but be liable to a considerable pecuniary mulct into the bargain. The concern, this year, was divided into sixty shares, and these were distributed in classes among the Company's servants in a proportion assumed as before, according to the rank of each. The shares which would according to the scheme have fallen to Lord Clive, as Governor, were left unappropriated.

The Court's letter of the 17th May, 1766, was received at Calcutta on the 8th December, and on the 16th January, 1767, Lord Clive addressed a letter to the Select Committee

in which he observed that the orders of the Director for the abolition of the salt trade must be punctually obeyed, but held out hopes that the Court might be induced to settle some plan for continuing the trade which, as then regulated, was in his opinion beneficial to the country, and necessary, "as an honourable incitement to diligence and zeal in the Company's services." On the same day the Select Committee resolved "that the Society of Trade shall be abolished and 'the inland trade totally relinquished on the 1st day of 'September next; but that we fully express our sentiments 'in our next advices to the Company respecting the advan-'tages which would result to the service and to the country 'from the continuance of this trade under the present regula-'tions." In their dispatch of the 24th January, sent home by the ship which took Lord Clive to England, the Select Committee reported their proceedings to the Court and again exhausted their ingenuity in discovering arguments to induce the Court to withdraw the prohibition which, at the same time, they declared their intention to obey implicitly. Lord Clive, immediately on arriving in England, addressed the Court in a letter of the same purport, and pointed out the evil effects that would arise from transferring the management of the trade from the Society of Trade to the Government; and again, a few months afterwards, when he heard that instructions were on the point of being sent to Bengal for throwing open the trade, and for modifying the rate of duty on salt and the mode of collecting it, he wrote again and implored the Court, even if they deprived their servants of the advantages arising from the sole privilege of manufacturing salt, to retain the trade in their own hands, and thereby secure a revenue of £300,000 which, his Lordship observed, they would be justly entitled to, *if they received the benefits lately enjoyed by their servants*, and the duties allotted to them by the Select Committee.

The dispatch of the Court, dated the 20th November, 1767, conveyed to Bengal their final orders for throwing open the inland trade and prohibiting their servants from being concerned in the manufacture or sale of salt. We subjoin such parts of it as relate to the abandonment of the principle of raising a revenue by monopoly, and contain directions for collecting the tax by farming out the lands adapted for the manufacture of salt, and imposing a transit duty on the article when taken into the interior for consumption:—

"We have taken your plan for conducting the salt trade, as contained in your proceedings of the 8th of September 1766, into our most serious

consideration ; and having revised all that we and you have wrote, on the subject of the inland trade in general, and of salt in particular, we are the more convinced of the absolute necessity of excluding all persons whatsoever excepting the natives only, from being concerned therein ; and we accordingly hereby ratify and confirm the orders we gave in our letters, of the 19th February and 17th May, 1766, that no Company's servant, free merchant, or any European, shall, in any mode or shape whatsoever, either by themselves or agents, directly or indirectly, trade in or be concerned in carrying on an inland trade, in salt, betel-nut, tobacco, or in any other articles produced and consumed in the country ; and such trade is hereby absolutely abolished and put a final end to, agreeably to our before mentioned orders ; and further, if any of the before described persons shall, directly or indirectly, carry on or be concerned in such inland trade, or in farming the khalaries, or making salt, if a Company's servant, he is to be immediately dismissed the Company's service ; and from all others the Company's protection is to be forthwith withdrawn.

Our principal object being the ease and convenience of the natives, we have considered in what manner the important trade in salt can be carried on, so as to supply the whole country with this material necessary of life on the easiest terms, and the least liable to oppression.

For this purpose we direct, that the salt trade be laid open to the natives in general, under the following regulation :—viz. That all the khalaries or salt pans, within the Company's jurisdiction, in the Calcutta pergunnahs and Company's lands, and the provinces of Burdwan, Midnapore, and Chittagong, be put up to public sale at their respective capitals, and sold to the best bidder, five khalaries in each lot, and that no one person be allowed to take more than thirty lots, which we judge will enable him to make about forty-five or fifty thousand bazar maunds of salt in the year, and that two months' notice be given all over the country before the sale begins ; and all Europeans are hereby expressly prohibited from being bidders at such sales, or holding any of the salt works in their hands, either directly or indirectly.

It is represented to us, that the salt made in every part of the country, except what is necessary for the consumption of the districts where it is produced, should be carried to and landed at Rajahbary, and a creek or small river opposite to Barnagore ; and the people of the country to make their purchases there, and pay a duty on all salt carried from thence, at such rate as will, upon the nearest estimation you can possibly make, produce to the revenue £100,000 at least, and not exceeding £120,000 per annum ; the amount being in this manner ascertained, it will be easy to settle how many sicca rupees per one hundred bazar maunds it will amount to, and the duty is to be rated accordingly.

On payment of the above duty to the country collectors, the purchaser is to receive a dustuk, to carry his salt to any part of the country he chooses, free from all other duties. The like duty is to be levied on all salt carried by land through the Patcheet passes, from the countries of Burdwan, Midnapore, and other places.

That all foreign salt landed in Bengal pay the before mentioned duty, or more, if it shall be found necessary, for the encouragement of the manufacture in Bengal.

To prevent all abuse of the English influence, we think proper to enjoin, and the same is accordingly to be made known in the most public manner, that any boat having salt on board, hoisting English colors, or pretending to an English dustuk, shall be liable to confiscation ; together with the cargo ; and the Nawab's ministers will seize the same, as forfeited to the Government.

We hope this freedom of trade will be the means of keeping salt at a low price; but if ever it should be sold, in the places we have limited, at or above one hundred and forty sicca rupees, for 100 bazar maunds, including the duty, we shall esteem it too high a price for the natives to pay; and we do expect that, under your influence, and that of the Murshedabad administration, the price never exceeds the said 140 sicca rupees, unless in the case of some general calamity, for we had rather the duty should be diminished than salt should exceed that price."

On receiving this dispatch, the Bengal Government appointed a Committee consisting of Messrs. Cartier, Becher, and Russell, Members of Council, to collect the information necessary to enable the Government to adopt a plan for regulating the salt trade in conformity with the spirit and intent of the Court's orders. This Committee made their report on the 21st September 1768, and on the 7th Oct. the President and Council came to the following resolutions:—First, in regard to the salt of the previous season, on which it appears that "no duty had yet been established, nor any regulations made regarding the disposal of it," they determined that a transit duty of thirty rupees per 100 maunds should be collected at Hoogly and Rajahbary, and a similar duty on all salt conveyed to the westward through Midnapore, and to Chittagong, but that these restrictions should apply only to "the salt that was made 'last season, and not that belonging to the Committee of Trade 'which will always be distinguished by its having had a dus-'tuk." Secondly, with respect to future management, they were of opinion that it would be impossible to carry out the Court's orders for farming the khalaries, without infringing the rights of the zemindars and of the farmers who had taken the Company's lands on three year's leases, and thereby causing a considerable diminution of the land revenue which the possession of the khalaries greatly assisted these parties to discharge. They therefore passed the following resolutions which were immediately promulgated and continued in force until 1772:—

"1st. That every zemindar, or landholder, whose churs or khalaries are granted to him by sunnud; and also, all farmers on lease, shall continue to enjoy the benefit of working them, but they shall be restricted by bond and penalty, not to dispose of a larger quantity than maunds 50,000, to any one purchaser; they are to keep an account of every sale, which must be weekly transmitted to the Sudder or head Cutcheries of Burdwan, Midnapore, and Chittagong, there to be recorded, and reference made on any scrutiny which may be deemed necessary in regard to persons, quantity, or price which may arise to prevent monopolies.

2d. That an entire freedom be granted to all other merchants, natives of the country, of the casts of Moors or Gentoos, for renting and working all other khalaries whatever, provided no one person directly or indirectly makes a larger quantity than maunds 50,000. In order to encourage the molungees to their duty, diffuse among the merchants this liberty,

and to prevent confusion or disputes one with another, every merchant must engage himself in his service the molungees, whom he must bring to the nearest public Cutchery to be examined whether they are free from all other engagements, and it is voluntarily that they themselves enter into his service, when their names and residence must be registered, with the name and residence of the merchant to whom they engage; which engagement is to last for one year only, and the zemindar of each district is directed to lend every assistance to secure to such merchants the attentive service of such molungees, and again to see that the merchant strictly conforms to his engagements with the molungees; and in case any one merchant should seduce or attempt to seduce any molungee from another merchant, he shall be fined as the case may merit. The molungees, thus engaged for one year, shall not be liable, after the expiration of that time, to be called upon for further services by the merchant, unless voluntarily, and for no balances whatever, after the expiration of the approaching season. But in consideration of the very heavy balances due from the molungees to merchants, on account of the last year's advances, they are to have the preference of the molungee's service for this season. The above register of merchants and molungees to be sent weekly to the several head cutcheries, in order that public license may be granted to the merchant for entertaining the molungees registered. The officer of each district is also to keep an account of all salt made therein, and by whom; and to send the same to the head Cutchery, there to be recorded weekly; and it is strictly recommended to prevent as much as possible any one family or set of merchants combining together, or in any shape establishing a monopoly.

3rdly. No salt to be removed from any chur without a rowannah from the Resident or Collector General, specifying the proprietor's name of such salt, the quantity and number of boats in which it is transported by water; if by land, then the number of bullocks, and by whatever means else it is transported.

That weekly returns of the rowannahs granted by the Collector General shall be transmitted to and entered by him, in a General Register; and that peons shall be sent with the rowannahs as at present with the dustuks, and a register kept of the arrival of salt at the different markets in the Company's lands, to be transmitted weekly to the Collector, to be entered in his register.

If any boats are found smuggling salt, the same to be confiscated to the Government, boat and salt; and any boat having salt on board, hoisting English colours, pretending to an English dustuk, or having more salt on board than specified in the rowannah, shall be liable to confiscation, together with the cargo; and the Nawab's ministers will seize the same as forfeited to the Government.

That all salt produced at Ingellee, Mysadole, &c., districts, and the Company's lands, shall be carried to and landed at Ballee creek, and that all salt produced to the Eastward shall be brought to Rajahbary.

That the sum of thirty sicca rupees per 100 maunds shall be the duty to be collected from the importer on all salt brought to Ballee creek, or Rajahbary.

That the price of salt shall be fixed at 140 sicca rupees per 100 maunds.

That no increase of duty shall be made on what is now collected on foreign salt."

The Society of Trade, however, though deprived of its privilege of exclusive manufacture and sale at the end of the second year of its existence, continued for a length of time,

under pretence of disposing of its accumulated stock, to carry on a traffic in salt and to interfere no less with the due realization of the public revenue than with the operations of other merchants. Their second year's lease expired on the 3d September 1767, but on the Committee of Trade representing to the President and Council the serious hardship that would befal them unless time were given them to dispose of the salt and betel-nut remaining on their hands, the latter, without any apparent reluctance, informed them that, in consequence of their representation, and the provision made in *the deed*, (which, as we have already seen, was then renewed,) "they would be allowed one year for the disposal of their concerns."

We may here enquire what was the effect of the constitution of the Society of Trade upon the Company's Revenue which they promised so confidently to augment, and what was the "reasonable" amount of profit which the servants of the Company composing that Society realized for themselves. From a statement laid before the House of Commons in 1786, it appears that in 1765-66 the revenue derived from salt, by way either of khalary rent or of excise duty, was absolutely nothing; the Government having in that year paid out of the public treasury as remuneration to the farmers of the preceding year, for balances due to them by the molungees, the sum of nearly two lakhs of rupees, and the khalary rents being appropriated by the Society of Trade under the terms of their deed. In 1766-67 the amount credited on account of salt revenue, the whole of which was paid by the Society, was £118,926, and in 1767-68, the amount realized was £144,218. In 1768-69, the year after that in which the manufacturing privilege of the Society ceased, the revenue derived from salt is not distinguished in the accounts, but it amounted probably to very little, if any thing, as we have already seen, that no measures were taken to tax the salt of the previous season until October 1768, and we shall presently find that the total payments made to Government by the Society did not exceed the amount received from them in 1766-67 and 1767-68. During the four succeeding years, the duty on salt instead of yielding a revenue of £100,000, according to the estimate of the Government, gave only in 1769-70, £16,907, in 1770-71, £70,914, in 1771-72, £61,663, and in 1772-73, £45,027.

The net profits of the Society of Trade for the two years during which their sole privilege of manufacturing and purchasing salt was continued, are stated by Mr. W. Bolts, in

his "Considerations on Indian Affairs," to have been as follows:—

	£.	£.	£.
Lord Clive's share			
1st year	21,179		
2d year	16,656		
		37,835	
Mr. Sumner's share			
1st year	12,707		
2d year	9,994		
		22,701	
General Carnac's share ..		22,701	
Shares of the rest of the Company's servants:			
1st year	192,025		
2d year	163,232	355,257	
			438,494

Mr. Bolts is certainly wrong in supposing that Lord Clive derived any advantage from, or had any direct interest in, the transactions of the Society of Trade in the second year of its existence. The fact of his having relinquished the five shares allotted to him in the scheme, is placed beyond a doubt by a resolution of the Select Committee, dated the 16th January 1767, in which they assign him, *as an equivalent for the same*, a commission of one-eighth per cent. upon the revenues of Bengal and Behar! But it does not appear that the Society ever accounted for the proceeds of these shares, and it is not improbable that they were distributed amongst the rest of the shareholders. From the evidence taken before the Committee of Secrecy in 1773, it appeared that the Society had only paid in all £176,863 by way of revenue to the Company, that is, £118,926 on account of 1765-66, and £57,937 for 1766-67; and as the extraordinary deficiency in the revenue during the five succeeding years is attributed by the Committee to the power reserved to the Society of Trade of protecting their salt in transit, by dustuks, long after their privilege of manufacture had ceased to exist, it may safely be concluded that the clandestine profits of the Company's servants, and their agents, arising out of these transactions, were far greater than Mr. Bolts represents them to have been. The loss to the Company's Government by the malversation of their servants during the six years subsequent to the formation of the Society, was estimated by the Committee of Secrecy at upwards of forty lakhs of rupees. So far from the local Government fulfilling their promise of laying "a fair, full and candid representation" of the affairs of the Society before their honorable masters, we find that in 1772, notwithstanding repeated calls, except an imperfect abstract of the Society's

accounts for the first year, not a document relating to the subject had been transmitted to the Court of Directors. In 1773, the Court came to a resolution to prosecute the persons upon whom they had demands on acconnt of the duties on salt, but whether any steps were actually taken in consequence, or whether any of the misappropriated revenue was recovered, we are unable to affirm.

The Act of 1773, 13 Geo. 3 Cap. 63, expressly provided that it should not be lawful for any of her Majesty's subjects "to engage, intermeddle, or be in any way concerned directly or indirectly in the inland trade in salt except on the East India Company's account." Under the positive orders of the Directors, the trade, as we have already seen, continued nominally open until 1772-73, but the revenue derived from it fell very far short of the expectations of the Court, and the promises of the local Government. In 1772, Mr. Hastings determined again to assume the management of the trade for the use of the Company, and the following regulations were accordingly published by the Committee of Revenue on the 7th October of that year:—

"That the salt mehals in every part of the province shall be on the same footing.

That all the salt be made by the Company.

That the khalaries of each district or mehal shall be let to farm for the term of five years, on the following conditions:

1st. That the farmer shall engage to deliver to the sircar a certain stipulated quantity of salt yearly, at a certain stipulated price.

2d. That the farmer shall be allowed an advance of three-fourths of the quantity which he engages to deliver in the year, and the remainder on delivery.

3d. That in case of a failure in the delivery of the quantity stipulated, the farmer shall pay fifty rupees per 100 maunds, for the deficiency, as a penalty.

4th. That all the salt, which the farmer shall make, exceeding the quantity stipulated in his contract, shall likewise be delivered to the Company at an advance of twenty-five rupees on the contract price.

5th. That the farmer shall not be permitted to sell any salt, but as above provided to the Company.

That the Company shall agree to deliver all the salt of each mehal or farm, as it shall be delivered by the farmer, at a certain stipulated price.

That the merchants shall advance three-fourths of the amount of the quantity agreed to by the farmers, and to pay for the rest at the time of delivery.

That the merchant shall not be entitled to receive more than the farmer shall deliver in the course of the year; and that whatever quantity the farmer shall deliver over and above his agreement, shall be also the merchant's, the latter paying no more for it than for the rest.

That the salt, when made, shall be delivered and disposed of to such merchants as shall be willing to accept it by contract, for one year only, on the following terms, viz.

That the salt be delivered by the farmer to the merchant; the receipt of the

merchant to be the farmer's discharge, and to ascertain the quantity and amount for which the merchant is to be debited by the Company.

That *the amount of the duties shall be put upon the price of the salt, and paid with it:* and that the merchant shall be furnished with rowannahs for transporting his salt free of duties to any part of the two provinces, and that all salt, attempted to be passed without a rowannah, shall be seized and confiscated to the use of the Company."

It does not appear that the local Government adopted this change in the mode of realizing the duties upon salt, under any intructions from the Home authorities. But when Mr. Hastings reported that no new hardship had been imposed upon the salt manufacturers by taking the management of that article into the hands of Government, the only difference being that the profit which was before reaped by English gentlemen, and by banians was now acquired by the Company, the Court of Directors in their dispatch of the 24th December, 1776, approved of the plan, observing "that the monopoly *on its present footing* can be no considerable grievance to the country." 'It has ever,' they added, "been in a great measure an exclusive 'trade, and we think no tax can be levied upon it that shall be 'less oppressive to the consumer; and as we are not certain that 'our occasions do not require the whole supply arising from 'this article, we direct that for the present, the plan adopted by 'our late President and Council be continued, unless you shall 'be able to obtain to the amount of £100,000 sterling per annum 'for the Company by an additional duty on salt, and are of opini-'on that such amount may be realized by imposing a tax there-'on with less inconvenience to the country, and liable to fewer 'objections than is the case in the present mode of receiving 'a profit on salt by sale at auction." The revenue raised 'under the new system was in 1773-74 £229,192, and in 1774-75 £130,263. In 1775-76 however there was a loss of £1,473. This unfavorable state of things was attributed by Mr. Hastings, in a minute dated the 24th September, 1776, partly to the increased importation of coast salt, and partly to causes connected with "the peculiar circumstances of the present Government," which are explained in the Report of the Select Committee of the House of Commons prepared in 1783, to mean that the chiefs and councils of those districts in which there were salt mehals reserved particular salt farms for their own use, and divided the profits in certain proportions among themselves and their assistants.

In 1777, the local Government again reverted to the farming system. The Provincial Councils were directed to let the salt mehals on the most advantageous terms for a ready money rent, including duties, the salt being left at the disposal of the

farmers, and no advances being made to them on account of Government. Under this plan, the revenue rose in 1776-77 to £139,012 ; but in 1777-78 it was only £54,160, in 1778-79 £63,697, in 1779-80 £32,237, and in 1780-81 £8,427. The ill success of the farming system continued to engage the attention of the Council Board, and various plans were suggested and discussed for introducing a more efficient plan of management and for securing to the Company the full benefits arising from the tax imposed on the consumption of salt. The plan ultimately adopted was suggested to the Council by the Governor-General, Mr. Hastings, in his minute of the 9th September, 1780, and as it has remained in force, subject to certain important modifications, hereafter to be noticed, up to the present day, we make no apology for inserting it at length :—

"That all the salt of the provinces be manufactured for the immediate account of the Honorable Company, and sold for ready money at moderate fixed rates, to be ascertained and published at the beginning of every season, by the Governor-General and Council.

That a comptroller be appointed with an establishment to collect the accounts from the agents and prepare general accounts for the information of the Board, and exercise an official authority over the agents in all points of their duty.

That an agent be appointed to each of the undermentioned divisions, with a salary and allowance, as per establishment, to receive and make the advances, to superintend the manufacture, to receive the salt from the molunghees, to sell it agreeably to the rates annually established by the Governor-General in Council, *to collect the duties in addition to the price*, to seize and confiscate all contraband salt, and to have the general charge and management of the provision and sale of the salt, each in his respective division, under the control above specified.

First division—Hidgelee, including Jelamoota, Duroodumna, Soojamoota, Beercool, Sabaung, Mohaur, Canchreachour, Lamfray, Balsay, Meergodah, and Mornachoura.

Second division—Tumlook, including Mysadel and Mundulghaut.

Third division—Twenty-four Pergunnahs, including Twenty-four Pergunnahs, Bygatty, Myhatty, Ballia, Babindah, Tanlah, Bhulkah, and Pardooleapoor.

Fourth division—Roymungul, including Roymungul, Sheebpoor, Selimabad and Gorenore.

Fifth division—Bulwa, including Bulwa, Duckensabagepoor, Sundeep, Hateah and Bominy.

Sixth division—Chittagong, including all the salt mehals within that collectorship.

That rowannahs be granted by the comptroller, who will furnish them to the agents under his signature and official seal, to be countersigned by them, and noted by each agent through whose division they may pass, to prevent them from being used again. A register and an account of the collections of duties will be kept for the collector of Government Customs.

That as the advantage to be derived to the Company from this plan will chiefly depend on the quantity of salt manufactured, and the economy

observed in the management of the business, it will be advisable to afford the comptroller and agents, some particular inducement to give their utmost attention to both these objects; that for this purpose they be allowed to draw, besides their fixed salaries, a commission of ten per cent. on the difference between the sum of all the antecedent expences, of whatever kind, and the produce of the sales, the duty included, of all the salt brought to the account of the Company in each division, whether by manufacture or confiscation; to be distributed in the proportions of one-fourth to the comptroller, and three-fourths to the agent of each division respectively."

In 1778 a set of regulations were framed and promulgated for the purpose of protecting the molunghees from the oppresson and extortion of the contractors and native officers; and in the same year the salt instead of being sold at fixed prices began to be disposed of at quarterly auction sales, the quantity put up at each sale being rendered as equal as possible, that purchasers might be prepared with funds and adapt their prices to the demand. Under this system the revenue continued gradually to increase from 1781-82, when it amounted to £321,912, until 1812, in which year the Select Committee of the House of Commons declared, in their celebrated fifth report, that the regulations introduced by Lord Cornwallis were calculated to remove all compulsion from the manufacturers, and to guard them from the impositions of the intermediate native agents, and that under the operation of those rules the net revenue derived from salt had risen to £1,360,180 on an average of the three previous years. The rules of 1788, with some amendments, found a place in the code of 1793, as Regulation 29 of that year; and the Statute book of the East India Company's Bengal Regulations contains several laws subsequently passed, from time to time, with a view to define the duties of the several grades and denominations of officers employed in the department, to prevent illicit manufacture, sale, and transportation, to regulate the import of foreign salt, to check abuses, and generally to provide for the realization of the revenue with a due regard to the interests of all classes of the community.

Up to 1835, the year in which foreign salt began to be imported on private account in considerable quantities, the auction sales may be said to have afforded the only source from which *licit* salt was to be obtained by the inhabitants of the lower provinces of the presidency. Warehouses for the sale of salt in small quantities by retail had, as we shall have occasion to notice more particularly hereafter, been opened by Government in the salt producing districts, but the supply was restricted to the supposed extent of the local consumption, and

the transport of salt, sold in this manner, into the districts which it was intended should be supplied by the merchants purchasing salt at the public sales, was strictly and jealously prohibited. The quantity exposed for public sale in 1790 was 31,09,000 maunds, the whole of which was sold at an average of Sicca Rupees 243-8 per 100 maunds, and cleared out of the warehouses before the end of the year. In 1794, 34,00,000 maunds were offered for sale, and purchased at an average of Sicca Rupees 301-12 the 100 maunds; but at the end of the year 3,79,000 maunds remained uncleared in the warehouses. In the following year 36,00,000 maunds were put up and sold at an average rate of Sicca Rupees 287-4, yet, in consequence, probably, of this great fall in price, the balance remaining uncleared at the end of the season was only 2,01,076 maunds. The demand however continued steadily to increase with the prosperity and population of the country, and although the supply was augmented in still greater proportion, the price, with considerable fluctuation, rose gradually until 1822, when 46,00,000 maunds were sold at an average of Sicca Rupees 419, and 12,96,445 maunds remained uncleared in the golahs. In each of the three following years 50,00,000 maunds were sold at average prices varying from Sicca Rupees 352-12 to Sicca Rupees 391-12 the 100 maunds, but at the end of 1825 there remained an uncleared stock of 15,40,564 maunds, which had increased by the end of 1826 to 17,38,848 maunds, although the supply was reduced in that year to 47,00,000 maunds. From this time the demand gradually fell off until 1834, when 44,00,000 maunds were sold at an average price of Sicca Rupees 372, and the uncleared stock at the close of the year amounted to 22,51,755 maunds, equal to more than half a year's consumption. In fact, the internal trade of the country had become a sub-monopoly in the hands of a few wealthy merchants, who, to retain the power of making their own terms with the retail dealers and the public, were willing to submit to the comparatively trivial loss arising from the wastage of the accumulated salt and the interest on its value, and yet upon whom the Government were or thought themselves so dependent for the due supply of salt to the interior, that they felt obliged, as the uncleared stock continued to accumulate, to reduce their sales in like proportion, until the quantity sold, which in 1825 was 50,00,000 maunds, was no greater in 1835 than 38,25,000 maunds.

The evils of the auction system arising partly from this cause, and partly from the impossibility of arriving at an approximate estimate of the wants of the country, first attracted

the notice of the Court of Directors. In their letter of the 11th July 1827, in which they reviewed the salt accounts for the five years ending with 1823, they observed:—

"The results exhibited by the accounts of these years are certainly in a high degree satisfactory. They indicate good administration in all the agencies; but we regret to observe that the very desirable object which you have long had in view, of effecting an increase of revenue from enlargement of consumption, instead of an increase of price, has yet been so imperfectly attained. In the 160th paragraph of your letter, in this department, of 30th July 1823, you observe that 'though the prices have been higher than we could have wished, the result of the statements for 1820-21 and 1821-22 afford a gratifying evidence of the stability of this branch of the resources of Government.' We are, however of opinion, that the stability of the salt revenue, as well as the comfort of the people, essentially depends upon the extension of consumption.

In that part of the 3d paragraph of your letter of the 30th July 1823, in which you speak of fixing the net revenue which it is necessary to draw from the salt monopoly, your meaning doubtless is, that whenever it appears that the average rate of consumption will, at the stated price, produce more than the amount which you have so fixed, the price shall be reduced. Of this principle we cordially approve, but should not strenuously condemn any attempt to keep up the revenue to this amount through the enhancement of price. The greater the quantity on which a given revenue is raised, the lighter of course as you justly remark, is the taxation, and the more secure the public resources, while another material advantage is, that by lowering the price you diminish the temptation to smuggling, and hence that measures less annoying to the people, and of less expense, will suffice for its prevention. We are extremely happy to perceive that you attach importance to the diminution of the cost of this article to the people, which to so great a part of them constitutes their only luxury. We hope and confidently trust that there will be sufficient enlargement of sale to enable you to realize an adequate amount of revenue from this source, consistently with a reduction of price, which of course will be gradual, but finally we doubt not will be large. We however wish you to consider whether, instead of periodical sales the public might not be supplied with salt from the Government warehouses at a fixed price, whereby the subordinate monopoly of the salt merchants, who now purchase the salt in large quantities at those sales, would be prevented, and salt would not be liable to these excessive fluctuations in supply and in price, to which the article is now subjected. We only throw out these suggestions for your consideration. We are most anxious that a limit should be put to the rate of this tax, and that the people should have the benefit, in reduction of price, of any increase of sale which the progress of demand may produce."

These suggestions however found no favor with the local administration. The Board of Customs, Salt and Opium, which was constituted, and to which the management of the salt revenue was transferred from the Board of Revenue, in 1819, entered into a labored and ingenious argument to prove that the supply of salt was fully equal to the demand, that the consumption was limited to alimentary purposes, that six seers was as much as each person on an average could consume,

that, applying this calculation to the estimated population of the provinces supplied with salt from the public sales, more than a sufficient quantity was already available for consumption, and that any extension of the supply, while it would inevitably prove injurious to the revenue and ruinous to the merchants, would be of no benefit whatever to the people. They pointed to the large quantity of salt purchased by the merchants but still lying uncleared in the Company's warehouses, as affording an incontrovertible proof of the truth of their position, and asserted it to be impossible that the merchants, would submit to the loss arising from the unprofitable investment of about half a million sterling, if they could find a market for their salt even at unremunerative prices. To the Court's proposal for abandoning the auction sales and opening the public golahs for the sale of salt at fixed prices, the Board strongly objected. They observed that a departure from the established course must operate to derange the existing methods of supplying the interior, and hence would not be free from risk; and that the merchants, being relieved from the stimulus arising from the necessity of clearing the salt they had actually purchased, would be enabled by limiting the supply to raise the price to the consumers, and thereby seriously impair both the public resources and the prosperity of the country, to their own manifest advantage. The local Government were misled by these specious sophistries, and strongly deprecated any change of system, but the Home authorities entertained a juster view of the question, and were not to be deceived by arguments of which the inconsistency was then sufficiently apparent, and the unsoundness has been abundantly proved by subsequent experience. In their dispatch of the 23d February 1831, the Court of Directors observed :—

"It is stated in support of this opinion, (that the population supplied with salt from the Calcutta sales, consume as much as they have occasion for, and would not increase their consumption if the price were reduced) in the correspondence before us, that six seers of salt is the annual consumption of one man, and that, according to the probable estimate of the number of inhabitants, this quantity is actually supplied to each. This however does not appear to us to be sufficient. The Board may know that six seers only are consumed at the present price, but we distrust their inference, that more would not be consumed at a lower price.

As little satisfactory is their reference to the annual returns of golah clearances, to shew that the increase of supply has kept pace with the increase of population. This has no tendency to prove that at every one of those dates the same population would not have taken off a greater quantity, at a smaller price.

We admit, however, that doubt may be entertained whether reduction of

price would be accompanied by a proportional increase of consumption. This can be determined only by experiment; and we agree that the experiment ought to be made cautiously by slight alterations at a time, either by a small reduction of the price, if the stores are opened at a fixed price, or by a small addition to the quantity sold, if the plan of periodical sales is persevered in. At the same time we are decidedly of opinion, that for so important an object as cheapening to the population so material an article of consumption, a risk of some temporary diminution of revenue might not improperly be incurred.

We do not think that it is evidence against the making of such an experiment, that the merchants, when the sales have been large, have been dilatory in making clearances from the golahs, and have left a quantity on hand till the succeeding year. It was obviously the interest of the merchants to keep up the retail price; and if they entertained the hope, that by reserving a portion of the supply of the present year they should induce the Government to lessen the supply of the subsequent year so far as to keep up the price in that year to the same level at which they had retained it in the foregoing year, they were relieved from the apprehension of loss on account of the quantity remaining in store. If they had been well assured of your steady perseverance in keeping up the augmented supply, the dread of the still greater reduction of price in the second year would have prevented them from keeping back any supply of the proportion of the first. We are of opinion, therefore, that the delay of the merchants in clearing the golahs is no proof that the market was incompetent to take off a greater quantity at a smaller price.

The arguments by which the Board dissuaded you from opening the golahs at a certain fixed price, and in this manner trying how much would be taken off for consumption under a slight reduction of price, an experiment which apparently would be attended with very little risk, appear to us likewise to require re-consideration.

They told you that "departure from the established course must operate to derange in some degree the existing methods of supplying the interior, and hence would not be free from risk." This supposition appears to us to be groundless. The merchants now buy at your sales, and take the article out of your stores at such times, and in such quantities as suits their convenience for transmitting it into the interior. Their having it in their power to go to your stores, and purchase the quantity which they need, at the time when they need it, does not appear to us to necessitate any derangement of the existing method of supplying the interior.

They further assured you "that under the necessity of clearing salt actually purchased, there would be a stimulus for carrying the article into the interior, which not being felt under the assurance of always being able to obtain it when wanted for speculation, would operate to make the plan of fixed sales more favourable for the consumer than that of the fixed prices; besides that the former was in many respects more favourable to the revenue." We think that these inferences are too hastily drawn. The stimulus for carrying the article into the interior, is in all cases the profit to be made by the transaction. The necessity of clearing the salt purchased at the sales cannot have the effect ascribed to it, because practically it has no operation, it being one of the statements of the Board that the clearances are not made. One of the effects indeed which it seems reasonable to anticipate from keeping the golahs open for the supply at all times of all demands, is that of a regular supply to the consumer, because, in that case, every person without exception, can send salt into the interior, whenever the profit is such as to afford him the inducement; whereas, when a few

merchants at your fixed sales take off in large purchases the whole quantity sold, they can afterwards, by withholding supply, exercise for their own advantage a great degree of control over the price. That the selling at a fixed price should be more unfavourable to the revenue, if the quantity sold and the price at which it is sold are the same, is impossible. If the price is lowered by Government, on purpose that the experiment may be tried whether the lowness of price will not be compensated by increase of consumption, that is the Government's own act, the consequences of which it is willing to try; consequences wholly distinct from those of a difference in the mode of conducting the Government sales."

But the falling off of the sales in 1835 produced upon the local authorities the desired change of opinion which the repeated expression of the views of the Court had failed to effect. The constitution of the Board, whose opinions on the salt question were generally supposed to be those of their able Secretary Mr. H. M. Parker, was changed by the appointment of that gentleman in 1833 to be one of the members of that administrative body, and it was scarcely to have been expected, that one who had identified his name with the maintenance of the old regime, and had become familiarly known as the author of the six seer theory, would have been the first of the local officials to renounce his errors and press upon the Government the adoption of a plan which he had exerted the utmost of his great abilities to expose as mischievous and absurd. But to his honour we record it, so it was. Like Sir Robert Peel at a later period he did not hesitate to yield, to the convictions produced on his mind by mature experience, the politico-commercial doctrines he had spent his life in defending, and to prefer truth and the public interests to the equivocal virtue of personal consistency and perseverance in wrong.

In a minute by Mr. Parker, dated the 31st December 1835, which the Board submitted to Government as expressive of their unanimous conviction on the subject, the grounds upon which the auction system had been so long maintained as the only real security for the due realization of the revenue and the regular supply of salt to the people, were utterly demolished, seriatim, with the same masterly ease and ingenuity that had been so long and so energetically displayed in their support. The Government yielded without a word of objection, and early in the year 1836 a notification in the Gazette proclaimed that the public were at liberty to purchase salt at the Government warehouses at fixed prices, in quantities of not less than 250 maunds.

We must here retrograde a little in point of time to trace the measures of the Government with respect to the importation of foreign salt. By the earliest regulations, a duty was

imposed on the import of the article (chiefly from the Coromandel Coast,) and our readers will remember that the Court of Directors acknowledged the principle that it ought to be freely admitted subject to at least an equal rate of duty with that manufactured in Bengal. But on the establishment of a monopoly in 1780, the import of salt except on account of Government was entirely prohibited; and although Muscat salt was afterwards excepted from the rule, yet it was only admitted on condition of being immediately delivered into the Company's warehouses at a fixed price of two Rupees a maund. When however the trade to India was thrown open by the Charter Act of 1813, and salt might be legally exported, like any other article, from England to India, it became necessary to take measures for the protection of the revenue. Accordingly by Regulation XV. 1817, permission was given to the free import of all foreign salt on payment of duty at the rate of three Sicca Rupees the maund. This permission was temporarily modified in respect to salt imported on foreign bottoms, which by the tariff of 1825 was subjected to the payment of double duty, but under the provisions of the Customs Act of 1836, the former plan was reverted to, and salt of every description whether brought in British or foreign vessels was admitted on payment of an import duty of Co.'s Rs. 3-4 a maund, the additional four annas being imposed as an equivalent for the difference in the value of the current rupee on the change of coinage that was carried into effect about the same time. In 1844 the duty was lowered by an order of Government to three rupees, and from the 1st April of the present year to two rupees twelve annas the maund; and the continuance of this rate is guaranteed until the 1st April 1849. No salt appears to have been imported into Bengal except on account of Government, who continued to draw a portion of their supplies from Muscat and the Coromandel Coast, until 1819, in which year 24,652 maunds were entered at the Calcutta Custom House; but the trade shewed no tendency to advance until 1835, when 2,84,858 maunds were imported, and the differential duty being abolished in the following year, the imports have continued to increase, until in 1845-46 they amounted, as our readers have already been informed, to 15,82,174 maunds, or upwards of one-fourth of the licit consumption of the lower provinces.

It was about the time of these great changes, namely, the abolition of the auction system and the admission of foreign salt at an uniform fixed duty, that the Select Committee was

appointed by the House of Commons to enquire into the supply of salt for British India and to report their observations thereupon. After taking the evidence of several persons connected with the Cheshire salt trade, and of others in the service of the East India Company, and going through a mass of official documents relating to the administration of the Bengal salt revenue, the Committee reported on the 2d August 1836, that they were not convinced by any evidence brought before them that the same amount of income which had been derived from the monopoly might not be collected with equal security to the revenue and great advantage to the consumer, and to commerce, under a combined system of customs and excise, but that on that point they were not prepared to go further than to call upon the Government of India to give to it the most serious and early attention. They submitted however with confidence the following recommendations, which, if fully and fairly carried out, would in their opinion reduce the monopoly of the Company to one solely of manufacture, and destroy the sub-monopolies which had necessarily accompanied the existing system :—

"That the Government do abolish the system of public periodical sales, and do keep their golahs at all times open for the sale of salt, at the cost price, in quantities not less than 100 maunds, the purchaser to pay, in addition, a fixed duty on removing the salt from the golahs.

That salt manufactured in any country other than the districts subject to the Bengal monopoly, may be imported into Calcutta, and may be sold at such times as the proprietors may please, in quantities of not less than 100 maunds; and such salt, on being removed do pay the same duty as that sold by the East India Company, and no other duty or charge whatever except a fair and reasonable rent on such salt as may have been bonded.

That the duty to be imposed shall be fixed at the lowest rate consistent with the maintenance of the revenue, and not exceeding the average rate of the net profit of the Company's monopoly for the last ten years."

It will be readily seen that so far as regards the opening of the golahs, at fixed prices, and the admission of all salt into Calcutta on payment of a fixed duty, the recommendations of the Select Committee had been anticipated by the local authorities long before the Report found its way to India. The proposal to reduce the minimum deliverable quantity to 100 maunds was soon afterwards adopted, and it has since been further altered to 50 maunds. But the fixed prices had been assumed on an average of the high auction prices during the ten years preceding the change, so that while foreign salt was admitted on payment of a duty of Rs. 325 the 100 maunds, home-made salt was selling at prices varying from Rs. 469 the 100 maunds

for the produce of Khurdah in Cuttack, to Rs. 385 for that of a portion of the Hidgellee Agency. The consequence of this was that under such favourable circumstances the import of foreign salt rapidly increased until, as already observed, it reached its maximum in 1845. The proper adjustment of the price of home manufactured salt, on the principle recommended by the Select Committee, does not appear to have been effected until the recent change of prices notified on the 31st March last; the interval of ten years having been occupied in discussing the principle upon which one portion of the charges of the department should be made debitable to cost of manufacture, and the remainder to cost of collection.* The last proposal of the Select Committee was, that imported salt should not be charged with duty until removed for consumption. This privilege had formerly been sanctioned by law, but after the repeal of Regulation XV. 1825 in 1836, the merchants were prohibited from warehousing their salt except on deposit of Government securities equal in amount to the entire duty for which it was liable, and as this amount might be from three to five times the value of the salt, it is evident that, except in cases where consignees happened to possess Company's paper to a large amount, the condition amounted to a virtual prohibition. But while we write we are informed that the Chamber of Commerce have received assurances from the Government that a portion of the Sulkea golahs will be set apart for bonding purposes, and that salt will be admitted to bond there as well as in secure private warehouses under the general provisions of the bonding Act. Before these sheets leave the press we have every expectation that the arrangements will have been completed; so that we may safely affirm that the recommendations of the Select Committee have now been fully and fairly carried out, and that, to use their own lan-

* Since these remaks were written, our attention has been drawn to a series of articles in a Ceylon paper, in which the recent reduction of duty, and adjustment of wholesale prices are stigmatised as the imposition of a differential duty in favor of Indian salt, and attributed to a base and envious design on the part of the Indian Government, the advocates of monopoly (!) to crush the growing trade of the Taprobanian colony. Our readers will scarcely require us to point out the absurd mistake into which the Ceylon Editor has fallen. The duty levied upon Ceylon salt when imported into Calcutta is precisely the same as that upon Bombay and Madras salt, and precisely the same as that which, added to the cost of production at the different Agencies in Bengal, constitutes the wholesale price at which the salt belonging to Government is for sale to the public. The price of the Government salt, over and above the fixed duty of Rs. 275 the 100 maunds, varies from Rs. 100 for the best Punjah to Rs. 56 for the most inferior quality of solar evaporation salt, the last being higher than the Ceylon merchants have ever yet been able to command for their salt in the Calcutta market.

guage, the monopoly is reduced to one solely of manufacture. In plain English, and avoiding an absurd contradiction of terms, *the monopoly has ceased to exist.*

We have already incidentally mentioned that in addition to the salt sold at the public sales, the article is supplied to inhabitants of the manufacturing districts by retail at reduced prices. The origin of this practice is to be traced to the abolition in 1795 of a local manufacture in the district of Chittagong. On that occasion the Government undertook to open retail ware-houses for supplying the inhabitants of the tract of country in which the manufacture had been prohibited; intending thereby to counteract the strong temptation ever present to the ryots of a salt-producing soil to manufacture salt for their own consumption; and at the same time to soften the effects of the prohibition which, however harsh, was necessary to prevent the preparation of untaxed and contraband salt for the consumption of others. On the acquisition of the province of Cuttack the same system was there introduced, and it was subsequently adopted in Bullooah, Hidgellee and Tumlook, all maritime and manufacturing districts. The quantity at first sold in this manner was inconsiderable, but it gradually increased until 1845-46, when it amounted, over and above the quantity purchased wholesale for supplying the interior, to 9,15,201 maunds, yielding a gross revenue of Rs. 22,84,660, being at the rate of a small portion less than two rupees eight annas the maund. If the tract of country thus supplied were left unprovided for, except by the operations of the merchants who buy their salt by wholesale at a higher price, upon which a profit also must be realized, there can be no doubt that the population would consume contraband salt, and the public revenue would pass into the hands of the smuggler.

It only remains to notice the measures that have been taken to derive a revenue from salt manufactured in the upper provinces, and imported by land across the north-west frontier. In 1802 on the cession of Rohilcund and a portion of the Dooab, to the East India Company, the exclusive right to import, manufacture, and sell salt was assumed by the British Government. This system however was not of long duration. It was abandoned in 1804, and a duty of twelve annas a maund was then imposed on all salt imported into the Dooab from the countries on the left bank of the Jumna, and a further duty of one rupee a maund on all salt transported eastward into the province of Benares; at the same time the salt districts in the Company's territories on the right bank of the Jumna

were let in farm by the Collectors, and their proceeds regarded as part of the land revenue of the country. In 1810 and 1829 some changes were made in the rate of customs duty on salt imported across the frontier, but the arrangements now in force were sanctioned by Act No. XIV. of 1843. Under the provisions of that law, all salt imported into the north-western provinces of the presidency of Bengal, of which the limits are to be determined by the local Government, is subject to a duty of two rupees a maund, and all salt transported to the eastward of Allahabad to a further duty of one rupee. The manufacture of salt within the above mentioned limits is prohibited, except with the express sanction of Government, but we do not gather that, when authorised, it is subject to any taxation.

The financial results of the various measures we have now detailed may be seen in the following concise tables, which we have prepared, partly from printed Parliamentary and other documents, and partly from the most authentic information we have been able to collect:—

TABLE I.

Quantity of salt sold wholesale by Government, and imported into Calcutta on private account, in the years mentioned below:

Year.	Salt sold by wholesale.	Salt imported.	Total.
1835-36	mds. 38,25,000	mds. 2,84,857	mds. 41,09,857
1841-42	„ 39,59,336	„ 6,12,691	„ 45,72,027
1845-46	„ 33,99,276	„ 15,82,174	„ 49,81,450
1846-47	„ 37,11,446	„ 14,66,744	„ 51,78,190

TABLE II.

Proceeds of salt sold wholesale by Government, and duty realized on imported salt during the same period.

Year.	Proceeds of wholesale salt.	Duty on imported salt.	Total.	Average wholesale price.
1835-36	Rs. 162,12,270	Rs. 9,11,468	Rs. 171,23,730	Rs. 423
1841-42	„ 168,72,959	„ 18,45,120	„ 187,18,029	„ 426
1845-46	„ 130,18,827	„ 43,70,696	„ 174,19,523	„ 384
1846-47	„ 140,25,323	„ 40,03,181	„ 180,21,504	„ 378

TABLE III.

Quantity of salt sold by retail in the manufacturing districts, with the proceeds thereof during the same period.

Year.	Quantity of salt sold by retail.	Proceeds.	Average retail price.
1835-36	mds. 597,582	Rs. 14,48,124	Rs. 242
1841-42	„ 830,026	„ 23,79,152	„ 285
1845-46	„ 915,201	„ 22,84,660	„ 249
1846-47	„ 988,068	„ 24,21,444	„ 245

N. B.—The sales for the last three months of 1846-47 are estimated to be the same as in a similar period of the previous year. They were most probably greater.

TABLE IV.

Gross and net revenue derived from the salt tax in the lower provinces in the undermentioned years.

Year.	Receipts by sale and duty.	Charges.	Net Revenue.
1835-36	Rs. 1,87,88,209	Rs. 53,76,063	Rs. 1,34,82,146
1841-42	„ 2,11,74,344	„ 54,23,376	„ 1,57,50,968
1845-46	„ 1,98,29,536	„ 49,20,515	„ 1,49,09,021

TABLE V.

Gross and net revenue derived from the duty on salt in the North Western Provinces in the years mentioned below :

Year.	Receipts.	Charges.	Net Revenue.
1841-42	Rs. 27,10,953	Rs. 29,131	Rs. 26,81,822
1843-44	„ 36,17,623	„ 31,156	„ 35,86,467
1845-46	„ 37,90,886	„ 93,907	„ 36,96,979

We must not close our observations without reverting to our text book, and exposing some of the extraordinary mistakes into which Mr. Aylwin his fallen in his zeal to enlist every class of his countrymen,—salt proprietors, shipowners, manufacturers, merchants, and philanthropes, in his disinterested crusade against the East India Company. We have some personal recollection of this Mr. Aylwin, who whilom known as a buyer and seller of lacerated garments, was afterwards adroit enough to persuade a considerable number of our credulous fellow lieges to purchase shares in a projected railway from Calcutta to Bogwangolah, with a branch to Jessore, and an extension to Dinagepore and ultimately to Darjeeling. To those who are acquainted with the country over which this miraculous railway was designed to run, and who know that Bhogwangolah is a moveable collection of huts on the sandy banks of the Ganges, rebuilt almost every season as the river capriciously changes its latitude by a few miles more or less—that Jessore and Dinagepore are towns of exceeding insignificance, owing their prosperity and perhaps existence to the accident of their being the civil head quarters of the districts in which they are respectively situated—and that the traffic to Darjeeling consists in the transport of the baggage and stores of the score of valetudinarians who resort to that sanatarium in the course of the year, it is utterly inconceivable how the astute projector could have succeeded in persuading the sober ditchers of Calcutta to subscribe for a single share. But the railway mania was then at its height. Mr. Aylwin had the name of George Hudson in his list of directors. He waited personally upon all the most influential members of society in Calcutta, official and non-official, offering for their acceptance maps of Bengal beautifully taped and glazed to shew the direction of his line,

and shares to any amount. He gave out that the whole capital had been already guaranteed by London millionaires, and that no assistance was required from Government ; nothing in short but permission to commence the work. By these and other contrivances he managed to dispose of a large number of shares and realize a pretty round sum in the shape of deposits. He then gave a railway dinner in the Town Hall, at which Sir Thomas Turton, the Vice President of the Northern and Eastern Railway as it was called, filled the chair ; and shortly afterwards took his departure for England. But though twelve months have now elapsed, and during that time we have seen the other Bengal Railway Companies prosecuting their designs with vigor, and we hope success, not a word has been heard of the Bogwangolah Northern and Eastern ; and all the satisfaction the luckless shareholders have, in return for their deposits, consists in the pleasurable remembrance of having provided a convivial meal for a considerable portion of the Calcutta public, and the scarcely less agreeable suspicion that they may have been affording their active director the means of printing his pamphlet on the salt trade of India. Mr. Aylwin's notoriety as a pamphleteer and agitator has been as brief, though scarcely so profitable as his career in railway speculation. Should he again essay to make his appearance before the public, Proteus-like, in another shape, we venture to predict that the next product of his pliant invention will be a more miserable failure than its predecessors, and fix upon him, if it be yet wanting, the final stamp of unscrupulous and incurable charlatanry.

We pass over Mr. Aylwin's puerile and illogical attempt to shew that the power of the Indian Government to manufacture salt is open to question under the provisions of the Charter Act, and that, because the manufacture of salt may be *unnecessary* for the purposes of government in the sense that an equal amount of revenue might be raised by a customs duty on the article, it is therefore illegal ; and we proceed to consider the monstrous assumptions and inferences that form the staple of his second chapter. After quoting from a letter of the Secretary at the East India House the following words :— " The prices for salt sold by wholesale on account of Government are fixed with reference to the principle that they shall not fall short of the cost of provision, plus the duty on imported salt," he adds in all the majesty of capital letters, but with the most palpable inconsequence—" *If, therefore, we shall find the Government of India has not netted three rupees per maund (which is the duty on imported salt,) they have, in reality*

caused a loss to the revenue of this country by manufacturing; and the continuation of the salt monopoly by the East India Company connot be justified even on the score of revenue!!! " In illustration of this position he gives two tables, shewing that from the year 1790-91 to 1844-45, while 237,347,554 maunds have been sold and imported, which ought, at 3 Rs. a maund, to have yielded an aggregate return of Rupees 71,20,42,662, the East India Company have in fact only realized a net revenue of Rs. 60,62,68,280, thereby causing a loss by manufacture of no less than Rs. 10,57,74,382, or upwards of ten and a half million pounds sterling in fifty-five years. Let us test the accuracy of this statement. In the first place we desire our readers to take particular note, that, although Mr. Aylwin in his calculation of the quantity of salt sold and imported has very properly included 61,04,220 maunds of imported salt, which at Rs. 3-4 a maund actually yielded Rs. 1,98,38,715, yet he has wholly forgotten to include this sum in his statement of the Company's net revenue. We must therefore at once make a deduction to that extent from his statement of loss, and reduce it to Rs. 8,59,35,669. In the next place he has entirely overlooked the fact that during the first twelve years of the series continuously, and in several subsequent years the average price of salt sold at the public auctions was either less than three rupees a maund, or so little above it as to leave no margin at all even for the repayment of prime cost to parties who might have been disposed to import salt into the country on payment of a three rupee duty; and how perfectly absurd it is to argue that so much salt would have been imported into the country at a given rate of duty, when we know that the whole quantity sold on account of Government at a lower price was not cleared out by the purchasers for consumption. Under such a state of things the importer must have carried on his business at a loss, and the trade would very soon have ceased. In like manner, Mr. Aylwin has included in his statement of salt sold, about 11,000,000 maunds, retailed at reduced prices in the manufacturing districts, with which it is quite out of the question, that imported salt could ever have come into competition, and upon which, to prevent smuggling, the Government are obliged to be content with a much lower duty than upon that imported and sold for the consumption of the interior. Lastly the pamphleteer has most audaciously omitted to deduct from his estimate of net revenue at three rupees a maund, the very necessary expenses of collection and prevention, with which he has taken very good care to

charge the Company, and which at the moderate rate of 5 per cent. would amount upon Rs. 71,20,42,662 to no less than Rs. 3,56,02,123. Due allowance being made for these several items, Mr. Aylwin's estimate of loss by manufacturing will be found to be reduced to nothing, or less than nothing. But we need not inform our readers, how impossible it is to judge, from what has taken place during half a century under one system, what would have happened during the same period under another. The usual complaint against the Indian Government is that they have derived a greater advantage from the "monopoly, than they ought to, or could have realized from a combined system of customs and excise; and this charge, we suspect, is nearer the truth than the other. To take, for instance, the year 1835-36. By referring to Table II. given above, our readers will observe that the average price of salt sold wholesale on account of Government was Rs. 423 the 100 maunds. Tables I. and III. shew that the quantity of salt sold wholesale and by retail was 4,422,582 maunds. And Table IV. gives the total charges of the department at Rs. 53,76,063, or Rs. 121 the 100 maunds. By this calculation it appears that the Government realized a clear net profit of Rs. 302 the 100 maunds by the sales of 1835-36, or (taking the cost of collection and prevention at one-fifth of the entire charges) a gross revenue of Rs. 326 the 100 maunds. The gross revenue from an equal quantity of salt imported on payment of the fixed duty, would of course at that time have been at the rate of Rs. 325 the 100 maunds; and, the cost of collection and prevention being the same, the net profit would have been Rs. 301 the 100 maunds. By a similar calculation, the aggregate net profit realized by wholesale in 1835-36, 1841-42 and 1845 46 was Rs. 296, and the gross revenue Rs. 319; while the proceeds from an equal quantity of imported salt (at Rs. 3-4 a maund during the two first years, and Rs. 3 a maund during the last) would have been Rs. 307, and the net profit Rs. 284 the 100 maunds. At all events we think we have satisfactorily shewn that Mr. Aylwin's extraordinary inference is not the least borne out by the evidence he has adduced, and that the accuracy of his facts is not to be implicitly relied on.

Mr. Aylwin's data for assuming the probable consumption of salt in the provinces which "either directly or indirectly are in a position to derive their supplies from Bengal," are so confused and contradictory that we find it difficult to follow him. He talks of the population of these provinces as amounting to 110,994,625 souls, and refers us for a detail of this number to

his Appendix No. 9, which we find includes nearly the whole peninsula of India! If Mr. Aylwin means to say that any part of the continent exeept that portion of it whieh is usually described as being "subject to the monopoly," namely, Bengal, Behar and Orissa, can ever be supplied with salt from Bengal cheaper than from other sources, he is grossly mistaken, and states what is ealculated to mislead those for whose information he professes to write. Although the salt imported by land from the north-west and the salt imported into Calcutta are equally taxed, yet no salt from Bengal ever finds its way higher up the valley of the Ganges than Patna, and if the duty on both were to be reduced to one rupee a maund, the relative expense of carriage would remain the same, and the natural boundary at which the consumption of one ceases and that of the other begins would not be shifted a single mile. The people of Madras and Bombay are amply supplied with indigenous salt, taxed at the rate of twelve annas a maund in one instance, and one rupee a maund in the other, which forms a staple article of export from both presidencies. Surely Mr. Aylwin does not suppose that Bengal salt can ever be profitably sold there, or that a reduction of duty in Bengal would have any effect in eountries of whieh the inhabitants have now abundance of salt for their own use, and to spare. We repeat that Bengal, Behar, and Orissa are the only provinces whieh can ever draw their supplies from the manufacturing districts at the head of the Bay of Bengal, and the English merchants who desire to trade in salt to Caleutta must at all events limit their views of profit to those geographieal limits.

Whether or no these provinces are adequately supplied with salt is a question on which we probably do not greatly differ from Mr. Aylwin. Taking the population at 50,000,000 (which, if former estimates be at all correet, cannot now be in excess of the truth,) and the eonsumption of 1846-47 at 6,200,000 maunds, we can easily calculate that each person eonsumes, on an average, an extremely diminutive fraction less than 5 seers. But according to the lowest estimate, eaeh person ought to consume 6 seers a year, and the supply ought consequently to be at least 7,500,000 maunds. We are not disposed to deny this inference, or its corollary, namely, that to the extent of the defieiency the people either go without the salt they would otherwise eat, or substitute illicit salt of a less pure and wholesome kind than that which is manufactured from the brine of the sea or the mineral treasures of Northwich. But the remedy for this is not, as Mr. Aylwin desires, to prohibit the

local manufacture, and depend solely upon the importation of salt from abroad. Such a measure could only tend to aggravate the evil. The true remedy consists in a gradual reduction of the duty on every kind of salt, such as has been going on since 1844 and has been attended with such beneficial and striking results—in the observance of strict economy throughout the department, so that the cost of producing salt in the Government agencies may be reduced to the lowest degree consistent with the fair profits of the molunghees—and in affording due encouragement to the regular importation of foreign salt by admitting it to bond, as has now been done, under the regulations, applicable to all other descriptions of merchandize. During the last five years, a reduction of 15 per cent. in the duty, accompanied by a careful adjustment of the wholesale prices on the principle laid down by the Select Committee of the House of Commons, has led to an increase in the annual consumption to the extent of eight lakhs of maunds, or 28,500 tons, the loss of net revenue being at the same time insignificant; and there is every reason to expect that perseverance in the same course will lead to an equally favorable result at the close of another lustrum. The continuance of the present rate of duty is guaranteed until the 1st April 1849, but we trust that it will not last for one hour longer, and that the *Calcutta Gazette* of that date will announce a further remission. We do not, nor can the wisest among us, venture to indicate the point at which a reduction of duty will cease to be accompanied by an increase in the consumption, but we are quite certain that it is yet a long way off, and that it will take many steps of 25 rupees the 100 maunds to reach it. The reductions that have already taken place since 1842 are only now beginning to be felt by the poor—by the man who buys his daily *pao* of salt from the petty dealer in the village bazaar. It is only within the last few months, that the boon has reached the laboring ryot in the shape of a cowry or two saved from his earnings, and that only in the less remote districts. The first effects of the reduction have been to attract a number of small merchants to the trade by the increased profit which it now affords, to enable those formerly engaged in it to enlarge their transactions, and thus to force, as it were, a more adequate supply of the article into distant and thinly populated parts of the country, where the want of it has heretofore been felt as a real grievance. It is by a resolute perseverance in this liberal course of policy that salt will be largely and permanently cheapened to the consumer, and a sufficiency of it at a mode-

rate cost be made available to every subject of the East India Company in the lower provinces.

We need scarcely allude to Mr. Aylwin's reiteration of the oft-refuted allegations of the oppression to which the molunghees are exposed, and his vain attempt to convict the public authorities of inconsistency and contradiction on this point, by parallelizing passages that have reference to totally different objects. The able paper of Mr. Parker, printed in the appendix to the Select Committee's Report, has set the case of the molunghees finally at rest, and satisfied every unprejudiced mind that these people are not only not the miserable and injured race they were once represented to be, but that they are comparatively better off than almost any class of men in India who live by the labor of their hands. We have already mentioned that the price paid to them by Government for the salt they manufacture varies, according to the locality, from 12 to 7 annas the maund, and this is considerably higher than the price they could get from private merchants in 1765, when the trade was perfectly free. We will only add, of our own personal knowledge, that whenever the accumulation of stock or an increase in the importation of foreign salt has compelled the Government to limit the manufacture in any particular agency, the cutchery of the agent is crowded with eager applicants for the customary advance, and resounds with bitter remonstrances from the disappointed, against the injustice of preferring the interests of foreign merchants to those of the denizens of the soil! Nay, we have known occasions on which these remonstrances have reached the Council Chamber, and induced the authorities to modify their previous orders for restricting the provision of the season. We can assure the manufacturers of Manchester that the molunghees are as eager for employment as the workmen in their own factories, and that a short year's provision is as distasteful to the one as short work and short hours to the other.

The pamphleteer's observations on the effects of the salt tax upon the people are as exaggerated as we have shewn his other assertions to be unfounded and incorrect. To prove this, let us take the population of the lower provinces, as above, at 50,000,000, and the gross proceeds of the salt tax for 1846-47, in round numbers, at 2,04,25,000. As we are not arguing the question between tax and no tax, but between the tax as it is at present raised and the tax as Mr. Aylwin proposes to realize it, namely, by prohibiting the local manufacture and admitting foreign salt at a duty of one rupee a maund, we must

deduct from the above sum just so much on account of the home made salt sold within the year, as would in all probability have been paid for the same quantity of salt to importers. The remainder will represent the sum contributed by the inhabitants of Bengal, Behar and Orissa to the salt tax. Now the quantity of home made salt sold on account of Government in 1846-47 was 42,50,000 maunds. Mr. Aylwin says that English salt may be laid down in Calcutta for 44 shillings a ton, or about 80 Rupees the 100 maunds, but we prefer taking the average price of all foreign salt in Calcutta during the past year, which was Rs. 50 as nearly as we can calculate. From the gross proceeds, therefore, if we deduct Rs. 21,25,000, there will remain Rs. 1,83,00,000 debitable to the revenue, which is at the rate of 5-856 annas a year from each individual tax-payer. Beyond this sum, whatever the consumer paid for his salt is on account of the cost of production and carriage, and the profits of the dealers through whose hands it intermediately passes. These items he would have to pay under any circumstances whether the tax was one Rupee a maund or whether it was nil; and in point of fact, although it is customary to say that the tax upon salt amounts to 5 or 6 times the value of the article (meaning thereby its prime cost,) and so to represent its effect in the most unfavorable light, yet this proportion undergoes a constant and rapid change, until in distant tracts, where the selling price, swelled by profits and charges, may, as it frequently does, reach Rs. 5-8 a maund, the revenue obviously forms only 50 per cent. of the actual cost to the consumer. If for the sake of argument, we adopt Mr. Aylwin's statement that the average rate of labour wages in the lower provinces does not exceed Rs. 2-4 a month, and that four out of every five of the population are unproductive, (both assertions, especially the latter, being very wide of the truth,) we find that each laborer, to obtain five seers of salt a year for himself and as much for each of four others dependent on him, must lay by for that purpose one rupee $13\frac{1}{4}$ annas from his income, or rather less than twenty-five days' wages. But if, as is far more likely, the average rate of a day laborer's wages is Rs. 2-8 a month, and if, as is very certain, the members of his family earn amongst them at least as much as he does, we shall find that he has to pay for the same quantity of salt the joint income of only eleven days. Mr. Aylwin seems to have forgotten that the contribution of any given family to the salt revenue must be in proportion to the quantity of salt they consume, and that no man can pay

an excessive amount of tax to the Government without at the same time enjoying an abundance of salt. By straining the argument first one way and then the other, the pamphleteer defeats his own purpose and is left without ground to stand on.

Far be it from us to say that salt ought not to be cheaper than it is, or that every laborer should not be able to purchase as much salt as he can possibly require for himself and his family, but we are very confidently of opinion, that the necessity of raising a revenue of one million and a half being granted, and who will gainsay it, a tax of eight pence a head per annum on the consumption of salt upon a population entirely free from every other description* of taxation, except a trifling excise upon the consumption of intoxicating liquors and drugs, is as little open to objection as any that could be contrived. It has likewise the great advantage of being raised without the intervention of a single tax gatherer or preventive officer, except in a narrow tract of salt-producing country along the shores of the bay; and at a charge (exclusive of the cost of manufacture) of less than six per cent. We cannot urge too strongly the paramount obligation under which the Government lies of cheapening salt to the consumer, and of gradually diminishing the rate of duty with that view, until the consumption ceases to increase in proportion to the sacrifices of revenue. The Government of India, like all Governments, requires a constant flapper to remind it of the wants of its subjects, and of the measures required for their relief. For this end, even such works as this of Mr. D. C. Aylwin are not without their use in attracting attention to the subject and inviting discussion upon it. But to suppress altogether the local manufacture, as this writer recommends, to impose a differential duty on salt imported in Arab and Gulf ships, as he indirectly proposes at page 30 of his pamphlet, and then at once to admit salt into Calcutta in English vessels on payment of a duty of one rupee a maund, are measures of such flagrant injustice to the people of Bengal, and of such financial impossibility, that it is absurd to suppose for an instant that they will be adopted by the executive government, or sanctioned by the Imperial Legislature.

We confess ourselves utterly unable to comprehend the arguments by which Mr. Aylwin, in his panniculous wisdom,

* The rent paid by the ryot to the Zemindar for the land he cultivates is not in the nature of a tax. It would have to be paid in the same rate, whether the Government received a portion of the rent from the Zemindar or not, and is actually so paid in lakhiraj estates where the whole rent is enjoyed by the proprietor.

has endeavoured to persuade his readers that the operation of the salt tax in India limits the production of sugar. We should have supposed in our ignorance that if there existed any perceptible connexion between the consumption of salt and the growth of sugar, the necessity for paying the tax on the former would have afforded the ryot an additional inducement to resort to so remunerative an occupation as the cultivation and manufacture of the latter. Indeed the table given by Mr. Aylwin, which we insert, in a note* would seem to support our view of the matter rather than his; for during the years 1837 to 1841 when the exports of sugar rose from 8,14,771 to 17,84,791 maunds, the price of salt was at its highest, and the subsequent falling off in the exports of the former to 15,39,117 maunds in 1844-45 has been concomitant with a gradual reduction in the price of the latter article! But the ridiculous nonsense of such a forced analogy between events that have no earthly relation to each other, if not sufficiently apparent on the face of the assertion, is amply illustrated by the exports of sugar in 1845-46 and 1846-47, amounting to 18,39,374, and 17,15,217 maunds respectively.

We had intended to offer a few observations on the great problem that remains to be solved in connection with the administration of the salt revenue of Bengal, namely, whether it would be prudent or practicable to substitute a system of excise for that of purchase and sale which now prevails, and what would be the consequences of such a change upon the revenue, the consumers, the manufacture of salt, and the general inland trade of the country. But our space will not allow of it. The difficulties of the question are great and sufficient to afford the materials for a separate article which we may perhaps hereafter have occasion to lay before our readers.

We must now take leave of our subject with a word of deferential advice to the English salt proprietors who may have placed confidence in Aylwin's promises of an Indian El-Dorado in the shape of an unlimited field for the absorption of Cheshire brine and the return of substantial profits. Depend upon it, worthy gentlemen, that, except when freights are ruinously low, your salt can never come into competition in Bengal with the salt of the Coromandel coast, of Ceylon, of Bombay, and of the Per-

* Exportation of Sugar from Calcutta, in bazar maunds.

			Maunds.
1837-38	814,771	1838-39	869,107
1839-40	843,889	1840-41	1,784,791
1841-42	1,522,092	1842-43	1,605,530
1843-44	1,542,581	1844-45	1,539,117

sian Gulf. These salts, we fully admit, are greatly inferior to your stoved salt, and perhaps not of such good quality as your common article, but they can be profitably imported at an average of about forty rupees the 100 maunds, whereas you cannot land your salt at Calcutta, under the most favorable circumstances, at less than sixty-five rupees, and you are generally put to a much higher charge. The price of the Company's salt, exclusive of the fixed duty, varies from 100 rupees for the best Pungah, or boiled salt, to fifty-six rupees for solar evaporation salt. It is not therefore from the East India Company that you have to fear anything, but from the Arab and coasting traders, whose transactions in salt are gradually increasing, and last year amounted to 10,98,208 maunds in the following proportion:

Bombay,	..	Maunds	511,254
Gulf,	..	„	397,696
Ceylon,	..	„	101,926
Madras,	..	„	87,332

The high cost of production of Bengal salt, resulting from the present direct interference of Government with the manufacture, is that alone which enables you to keep your footing in the Calcutta market. If it should be found practicable to allow the free manufacture of salt at the mouths of the Ganges subject to an excise duty, from that instant the trade will be closed to you. We are assured by the evidence of Mr. Bolts, quoted at the commencement of our remarks, that salt used to be manufactured in the Sunderbuns at twenty-five rupees the 100 maunds, and there is no reason either to disbelieve his testimony, or to doubt that under a perfectly free system of competition the expense of manufacture might again be reduced to the same standard. The Government will never be induced to suppress the manufacture of Bengal or even to restrict it, except in so far as may be necessary to prevent contraband traffic. And the results therefore which you are taught by Mr. Aylwin to expect from a reduction in the duty, can only be obtained by the perpetuation of the system which, under the name of monopoly, you are so eager in your endeavours to extinguish. Persist, we earnestly entreat you, in agitating, according to the light you possess on the subject, on behalf of the people of India; but do not delude yourself with the hope that the abandonment of the manufacture by Government will be attended with any profit to yourselves.

MISCELLANEOUS NOTICES.

1. *Letters from Madras, during the years* 1836—1839. *By a Lady. London, Murray,* 1846.
2. *Oriental Familiar Correspondence between Residents in India, including Sketches of Java, &c. &c. Edinburgh,* 1846.

These books are the productions of writers of a class which is becoming very common in England, and which has been gradually increasing in popularity, since the days of Lady Montague and Horace Walpole. Familiar letters, when written with elegance and feeling, possess a charm which no other style of literature can share—a peculiar charm of their own, partaking of a delightful ease and frankness, yet with the appearance of having been written carelessly, and without study. "I had rather read the dictates of the heart than of the brain," writes Heloise to Abelard; and this saying may be of great service to those who wish to shine in epistolary correspondence, but more especially to those who write letters with a view to publication.

In the volumes before us, we have too little of the brain and the heart in the one, and rather too much of the brain in the other. The "Letters from Madras," in consequence, can never be popular with the possessors of good libraries; while the "Original Correspondence," through the gentlemanly spirit and literary tone which pervade it, may take for many years to come, a high position among the inferior works of its class. It is not our intention to enter into lengthy details concerning the merits and demerits of these volumes. We do not think them of sufficient importance to bear a conspicuous position in our Review, either of censure or of praise. They have done almost nothing to benefit India, or gratify those residents who have perused them in the year of their republication. Not so are the Letters of Lady Mary from Adrianople, or those of the gossiping and clever Walpole, or those of the admirable Bishop Heber, all of which shall long continue to adorn the English language. Upwards of one hundred years have detracted nothing from the freshness and graceful though perhaps overlively style of the two former; while the traveller in the South of India passes over the ground on which Heber laboured, and there, from the anecdotes of the old, and the pure and lively spirit which breathes through his correspondence, ponders and pauses at the spot where the great man wrote his last letter.

We shall now take a cursory glance at the "Letters from Madras," interspersing our very brief critical remarks with a few original descriptions of what we have seen and experienced ourselves. The first edition of these Letters appeared some four years ago; and, in England and India, met with a fair reception. A "young married lady" had been for a very few years in India, where she had been acting the part of a fair *Paul* Pry, and sending home self-exalting descriptions of life on board of ship, of snake-charmers

and cobras, lazy Indian ladies, Madras schools, a Court native writer's knowledge of English, the doings of "John Company," military and civilians; in short, of every thing and every body, from her own baby down to a "crack Collector." The good natured Madrassís were astounded at the impudence of "a Lady" who had come boldly forward to paint their flourishing presidency; while, at the same time, they smiled over the flippant and impertinent, yet clever style of the writer. The Londoners, of course, fancied the mirror was admirably held up to nature. The Bengalís unanimously said that the volume was "very amusing." The Madrassís, in a vain hope that the storm would blow over, merely treated the intruder with a sort of contempt, making use of the letters for the lighting of a cheroot or the packing up of jewellery.

No literary advocate came forward to crush the usurper. The "Letters from Madras" would be forgotten as children of a day. But although this neglect of the "Letters" was fairly due to the Madrassís, it did not exactly suit the pocket of Mr. Murray, who, some three years after the first appearance of the letters, came down with overwhelming force—the assailants being neatly drawn out in the "Home and Colonial Library"—"cheap literature for all classes."

The letters, on their re-appearance, met with a flattering reception from some of the principal London Journals, where the "beauties" were extensively exposed to public view. By some they were praised considerably above their merit: but this was to be expected; for who can pass an unquestionably fair opinion on an Indian book without having been in India? In the edition before us, however, we have detected a slight omission from the half bound volume which first attracted our notice. From Rajahmundry, in the old edition, in a comparison between the civil and military ladies, we have as follows:—

"The military ladies....are always quite young, pretty, noisy, affected, showily dressed, with a great many ornaments, *mauvais ton*, chatter incessantly from the moment they enter the house, twist their curls, shake their bristles, and are altogether what you may call "Low Toss."—*P.* 169. *Ed.* 1843.

In the present volume, we have "*mauvais ton*," and the three last extremely vulgar remarks, entirely omitted. Their ejection has certainly effected an improvement in the book; but when we come to consider that these remarks were written by "a Lady"—the wife of a high officer in the Honourable Company's Service—either she or her friends should have endeavoured to suppress the re-appearance of a book which can only injure the name of the fair author of it. In addition to the above, we are treated with such choice dainties as "sick and solemn," "waste their substance and their stomach-aches on spongy shaddocks and sour oranges," "scratch their musquito-bites," "a tough job of it," and about one hundred more such elegant expressions: but we have no desire to plague our readers, so shall at once ask them to accompany us to Rajahmundry, accurately described by the writer as "a most lovely spot, on the banks of a magnificent river, the Godavery, with fine hills in the distance."

Let us suppose ourselves on the march with troops, *en route* from the Nizam's territory to Rajahmundry. The morning is fresh and clear, and the sepoys are plodding steadily along, leaving the little village of Pedda Pungadi well in the rear. Within eight miles of the Godavery, all are anxious to reach as quickly as possible the banks of that noble river. We are fairly on its banks just as the morning "opes its golden gates." It is the month of January: and, in consequence of the river not being down, a considerable march through the sand is necessary before we can near the water. While the sepoys and the baggage are being transported across, some zealous note-taker pulls forth his pocket-book, and writes: "The scenery around is of a quiet, graceful, and beautiful description. Viewing Rajahmundry, from the opposite side of the river, the Court-house is the chief object which catches the eye;—to the right of that, is the Judge's mansion, from which extends a line of green foliage, dying away into a comparative vacancy—the scenery around enriched by beautiful hills at the distance. The Godavery is certainly a superb river, stately and majestic, flowing along with a tranquil grandeur,—much more picturesque, though, perhaps, not so impressive, as the rapid and dark flowing Kistna." The nearing of the Bulkut* disturbs the raptures into which the note-taker has flown with the scenery and a fancied well turned sentence. It may be as well to state for the information of those who have not visited India, that this, for the note-taker, too speedy boat is very large, and is composed of two long boats, put together side by side, and thick planks placed along and cross. By this construction, we have a very safe vessel for the conveyance of large quantities of baggage and troops across a wide river. In general appearance the boat is somewhat similar to a raft of two large pontoons, which can with safety bear the pressure of upwards of seventy *cwt.* In about half an hour, Rajahmundry is reached, from whence proceeded the greater number of the "Letters from Madras." We ride through the town, and find it to be of considerable size, and more cleanly than the generality of native towns. The traffic is considerable, and travellers may purchase excellent thick cloths at a very cheap rate. Rajahmundry is celebrated for its cloth, tobacco, pottery, and its agates and cornelians from the Godavery. These stones are finely polished here, and any one wishing to make a collection may easily find what he requires. Rajahmundry is certainly "a most lovely spot," and, is as interesting from its historical association as from its beautiful scenery. In 1759, when the French and English were contending for the sovereignty of India—the French intriguing with the Soubahdar of the Dekhan, and the English with any Rajah that would pay—a petty chief attacked Vizagapatam and took it from the French, to whom it had been given by the munificent Soubahdar. This Rajah, as he styled himself, by name Anunderaz, having been refused assistance by the Council at Madras, to aid him in the expulsion of the French from the Dekhan, went to Bengal and

* This is a Telugú word, as well as Tamil, and means a large boat.

received the necessary aid from Clive. An expedition, under Colonel Forde, was dispatched to the Northern Circars. Aided by Anunderaz, the English force marched against M. Conflans, and entirely defeated him at Peddalore, distant about forty miles from Rajahmundry, "the French," says Thornton, "retreating with incredible speed." "The retreat of the French," continues our new historian of the Indian Empire, "was conducted upon the principle of each man providing for himself. The flying troops took various routes, but most of them towards Rajahmundry. To this place the French Commander, M. Conflans, bent his way; and if he had gained little reputation as a soldier, he seemed resolved at least to challenge the distinction of being a bold and rapid rider. No instances are recorded of his care to preserve the remnant of his army; but it is related that he traversed the whole distance from the field of battle to Rajahmundry, at full gallop, and by obtaining changes of horses, performed the journey in an incredibly short space of time." This appears to be one of the characteristics of a great French leader (Sir M. Conflans was one of the great Bussy's Commanders), the deserting the army in a case of emergency, and, as it is commonly termed, looking after number one. Even Napoleon was not free from this fugitive weakness. The French were at length assembled in Rajahmundry; but wisely deemed it impolitic to remain there. There was certainly a fort, but they had lost all their cannon; so they fled with all possible speed across the Godavery, and history treats us with nothing more important concerning M. Conflans and his army. The subsequent capture of Masulipatam, our victories over the French, our gradual co-operation with the Soubahdar of the Deccan, and our founding a firm footing on the Coromandel Coast, are all well known to the readers of Indian history.

In a quiet spot like Rajahmundry, it would be natural to suppose, that a lady who loved letter-writing (and how many educated ladies are there who do not?) would find an excellent field for the enjoyment of her wise recreation: and such is the nature of the situations in which very many of our English ladies in India are placed. Letter-writing is the only branch of literature in which the fair may be allowed to bear away the palm. Woman appears to have been ordained to excel in the epistolary style. They have certainly shone for a considerable time in the higher walks of literature—those talented beings who spring from the crowd and tower above their sex; yet many can never read a novel or an astronomical problem by a woman, without exclaiming, "This clever lady would have been better employed in writing a good letter!" Letter-writing would seem to be peculiarly her province—to say pleasant and agreeable things in a pleasant and agreeable way. Woman's sincere letter is like her own love, the very emblem of herself. We can easily imagine the "wedded bride" of but a few months past, writing to her husband who has been ordered off some distance on field service, "If you can be capable of any jealousy, let it be for the fond caresses I shall bestow on your letters, and envy only the happiness of those rivals."

We are not so extremely partial to those ladies, whose characteristic tendency it is "to perform the function of Conscience-keepers and Lecturers to their acquaintances," as a London reviewer remarks in a notice of a new work entitled "Letters to my unknown friends." Mrs. Chapone is, we should say, the only lady who ever could do this with any grace: and even now she is little read; and when she is, we are thrown back from our pleasant times to the evening assemblies of the last century, and think of the "blue stockings" in their brightest colours. It is with woman's general literature, as it is, or rather as it ought to be with her letters. Female literature ought to be always of a different nature from that which adorns the other sex. To see a lady plodding over a Laplace or a Blackstone, seems as much out of place as to behold a gentleman sitting down with a needle and worsted to embroider a Dido or a Chief Justice on a piece of canvass. But the study of music, painting, that style of book-literature which is in accordance with the nature of the sex—and especially the works of our best lady letter-writers—these conjointly, must form the really valuable literary lady.

When, launched into the wide ocean of life, she begins to think of giving a few charming letters to the world, one of the principal things to be considered is the vast difference between wit and vulgarity. A man of an enlightened mind can never forgive vulgarity in a clever woman; and we have every right to suppose that the purely minded woman bears the same feeling towards a vulgar man. "Wild, absurd, and ever-changing opinions" are also decidedly hostile to good letters. Did we possess the caprice, the eccentricity, the artificiality, the fastidiousness, of the "Sublime and the beautiful Walpole," as Macaulay amusingly denominates him; or the pertness and admirable powers of description of Lady Montague, our fickleness and exaggeration of opinion might be excused by the reading world. But where this is almost entirely wanting, letters will never do with only a sort of cleverness to recommend them. In our opinion, the following is one of the best passages in the "Letters from Madras:"

"The snakes have very much confirmed my belief in physiognomy. They certainly have a great deal of countenance; a cunning, cruel, spiteful look that tells at once that they are capable of any mischief; in short, "*beaucoup de caractère*," and the more venomous the snake, the worse his expression. The harmless ones *look* harmless; I think I should almost know a "too much good snake" by his too much bad countenance. The Cobra is the worst, his eyes are quite hideous; and that boa constrictor at the Cape was very disgusting: but after all I do not know that there is any thing more horrid in the way of physiognomy than a shark; there is a cold-blooded, fishy malignity in his eyes that quite makes one shudder."—*P.* 50. *L. XI.*

This is powerful and natural writing, and is as good in its way as the following burst of maternal affection:—

"That is the grand Indian sorrow—the necessity of parting with one's children."—*P.* 137. *L.* 26.

Had we only been favoured with a few more such passages in the place of the many absurd and scurrilous ones, we could so easily present to our readers, the "Letters from Madras" might have earned an honourable and lasting reputation.

About three years after the writer's first arrival in Madras, during which period she had entered more into the spirit of "Indian Affairs" than perhaps any other English lady on record, frequently as much out of her proper sphere as the women in France of a certain rank who interfered in politics before the revolution, we find her at Bangalore, previous to departure for England. The pleasant occupation of drawing appears to have been one of her favourite pursuits; and for this we give her the highest credit for good taste, writing from Bangalore she says:—

"I am busy now making a drawing of a very uncommon pagoda inside the fort. It is a mixture of Hindu and Moorish architecture, very grotesque and curious indeed. I perceive there are regular styles and orders in the Hindu architecture. Wild and confused as it seems, it is as determinate in its way as Grecian or Gothic. A—thinks it is all derived from Jewish or Egyptian traditions, and there is as much of *corruption* as of *invention* in their idolatry."—*P.* 140, *L.* 26.

In the whole history of the antiquities and literature of India, there is nothing which excites more general admiration than her architecture. How the inhabitants of a nation—to many so seemingly barbarous—could have raised such beautiful temples, could have constructed so many skilful and frequently graceful columns, strikes us with a rare astonishment. Yet such is generally the fate of nations. Italy could not now build another Colosseum, in splendour equal to the great original: Greece could not give us another Temple of Minerva. The classic architectural greatness of Greece and Italy, as well as that of India, has vanished away. We have seen most of the principal pagodas in the South of India, and it has often struck us that they were in some measure copies of the Egyptian style; and we believe this to be a general supposition. We remember a French Engineer informing us, after his having taken the sections of one of these pagodas, that the style of architecture was so wonderful, and so incomprehensible, in many respects, that he believed the world knew nothing at all about it. The Engineer, we believe, made a complete plan of it, and took the interesting sketch with him to Paris.

Crawford gives an affinity between the inhabitants of Hindústan, and those of ancient Egypt, but he concludes by stating that he cannot find any thing to warrant the assertion, that the laws, religion, and customs of Egypt had been brought to India. In the course of our travels, the most beautiful "mixture of Hindu and Moorish architecture" we have met, was at Condapillay, a village about one hundred and eighty miles from Secunderabad, and fifty-five from the town of Masulipatam. It is nothing more than the ruins of a palace, or, as Manfred would term it:—

"A noble wreck in ruinous perfection."

To visit the remains of the palace, situated about the summit of a large rocky hill, we wound through a kind of stony road, probably the ancient approach to the seat of royalty. This road, through its manifold windings, appeared to be nearly a mile in length; and the traveller makes his way slowly, but not surely.

The palace is about nine hundred feet above the base of the hill, and from this height the seenery around is magnifieent, every thing one could desire of the Oriental picturesque, while the Kistna rolls rapidly along in the distant plains below. About sixty feet below this spot there is a gateway, near which stands a wateh-tower, from whieh every thing around can be distinetly observed. Aseending from this entranee, we came to the under part of the building, which is composed of three arched passages of upwards of one hundred and thirty feet in length—all parallel to each other ;—here, most probably, the grain and treasure were deposited. On gaining the next story, which is roofless, the decay of ancient grandeur immediately arrests the eye. Rooms, whose walls yet covered with various Gothie-like and Moorish devices that had enelosed, in their suceessive ages, the pious Hindu and austere Mahommedan,—that had resounded to the clamour of the battle, or been the receptacles for traitors and councillors—are now seen exposed to the mercy of damp and ruin. On those walls are to be seen emblems of the taste of the once chivalrous Moor ; one of them is a window in the Gothic style, done in a sort of stucco work on the wall, containing almost exact representations of the crown and other devices used by the Templar of Old.

The ruins are very extensive, all breathing forth a noble antiquity, from the old grey stump of the tree which is seen forcing its way between the dark massive stones of the wall, to the simple green foliage working itself gracefully over the ruins of those recesses, where perhaps events have taken plaee unknown to this or any other generation. As Borrow, in his " Bible in Spain," says beautifully, when moralizing on the Druid's Stone—" The Roman has left behind him his deathless writings, his history and his songs ; the Goth his liturgy, his traditions, and the germs of noble institutions ; the Moor his chivalry, his discoveries in medicine, and the foundations of modern commerce ; and where is the memorial of the Druidie races? Yonder : that pile of eternal stone!" So, we might say, in the ruins of the old fortress and palace of Condapillay, is to be seen a great memorial of Hindu greatness—wonderful emblems of former scienee. Many of the ancient Hindu temples, it is well known, are yet in great preservation, as well as other monuments of their architecture ; and others, it is said, are almost wholly construeted of the fragments of ancient works destroyed by the Mahommedans, and rebuilt by the pious Hindus, " when they had obtained a respite from persecution, but had lost their taste and knowledge of the arts." Relics of ancient grandeur make us eall to memory the words of Manfred:

> " I stood within the Coliseum's wall
> Midst the chief relics of Almighty Rome ;
> The trees which grew along the broken arches
> Waved dark in the blue midnight, and the stars
> Shone through the rents of ruin."

Soon may the time come when every Hindu in India shall be a truly enlightened being,—when he shall view this land as a country in which have been reared the germs of a great moral revolution,—as a country

in which every thing noble and great is capable of being embodied. He will then probably ponder over the memorials of his country's greatness, and those of her ancient supposed magnificence,—view the huge masses and buildings of a comparatively rude but in many respects extremely skilful antiquity, and say—"And could not those grand temples, raised to the glory of our Gods, have given us civilization without the assistance of England?" "No!" the conscience will answer—"In every thing we did there was a repugnance to the plan which nature had formed us to act upon: we *were* skilful—but wanted the light of Christianity which we now possess, that degree of mental cultivation which we have now attained, to form the master mind.

Our readers must excuse these few digressions from the exact subject of our paper; but it is our endeavour to throw as much novelty and utility as possible even into what is termed, or what is intended to be, an article of a light nature.

The "Original Familiar correspondence" is a volume which we cannot say we have read with very much pleasure. An exceedingly well printed book, and one which may be relished by those who can look back on thirty years in India, is about the most we can say for it. Correspondence between "Residents in India," made us fancy to ourselves a book abounding in something about the manners, customs, and natural productions of the country, the whole enlivened by a little gossip and occasional remarks on the Government of India, with a few words on those barbarians, the Nepalese and Pindarries, whose inroads upon the British territory, at the time, produced nearly as great alarm as the late "Sikh Invasion." But instead of any thing approaching to this, we have upwards of seventy "Letters," full of kindness and small criticism—some of the latter displaying great discrimination and ability —yet tinged throughout with the colouring of a melancholy mind striving to be lively.

Mr. George Augustus Addison, we are enformed in the Introduction, was born at Calcutta in 1792. At an early age he was sent to England, where he began and completed his educational course; and embarked for India in his sixteenth year. He followed the pursuit of an indigo planter for a few years; but his indigo prospects having entirely failed, the young man proceeded to Calcutta, in 1813, to seek "employment in some more congenial occupation." He was fortunate enough to procure a lucrative situation in the island of Java, where he rose to be private secretary to the famous Sir Stamford Raffles. Death arrested his further progress, having caught the Java fever, which cut him off in his twenty-second year.

Before his departure for Java, we find expressed in his letters a reluctance to leave the "neighbourhood of Cossimbazar," and the gaieties of Múrshedabad. The following passage, written a few weeks before his embarkation, is characteristic of the mind of the writer:—

"Fortune ought to give me a few smiles, for it will have cost me much to seek them. But, smile as she will, she cannot give me an equivalent for the many, many pleasant hours I might otherwise have passed in your company. Those I have already done will always be bright azure spots to look

back upon, however cloudy may be my future days. The remembrance of them will long, long be cherished—as long—but it is useless to speak of the regret I shall feel in leaving a society which has afforded me such pleasure—of one so uniformly kind."—*P.* 338, *L.* 71.

Even in the bustle of preparation for departure, as amid his unfortunate indigo crops, his letters abound with remarks on literature and books.

The following may give some idea of Calcutta and the price of literature, in 1813:—

"Calcutta is so idle a place, that of course reading is almost out of the question; but I have seen the outside of a new poem, "Rokeby," in the shops. It appears to be not very long; price only *forty-two rupees!!*"—*P.* 349, *L.* 73.

We wonder what Mr. Cadell would now say to this, when he gives us the whole of Sir Walter Scott's "Poetical Works," for about ten shillings, and the most splendid Novels which ever adorned any age or nation, "with Portrait, Fac-simile, and Vignette Titles after Harvey," for small pieces of silver. Our Calcutta book-sellers would even open their eyes with astonishment. Happy innovation! Cheap literature accessible by all, from the beggar to the king. The "Letters from Madras," in 1839, accuse the Madrassis with leading a life of inanity, "with nothing in this world to do." This, even at the present time, among a great many of them, is said to be decidedly true. And we dare say the above remarks of Mr. Addison, that Calcutta is an "idle place," and "reading is almost out of the question," will produce a kindred sympathy in the minds of many Bengallis, who have made the bold but lamentable determination, in their leizure hours, to have "nothing in this world to do."

We shall close the volume before us with two specimens of the author's criticism, turning afterwards to a general consideration of the subject of this paper.

After an enthusiastic admiration of Kirk White, whose public and private life he can only compare with such men as Sir Thomas More, Sir Isaac Newton, and Cowper, the author exceeds all reasonable bounds of admiration when he remarks:

"Newton rises far superior to them all, and is incontestably the greatest and noblest character that ever existed—to him Kirke White must yield."—*P.* xi. *L.* 3.

But this is to be excused in one whose temperament was somewhat similar to that of his favourite poet, whose fame has been so nobly sung by Lord Byron. They both died "while life was in its spring."

After Kirk White, we come to the following passage:—

"I send you 'Les Lettres de Madame de Sevigné,' and hope the perusal will give you pleasure. Some of them are written with a wonderful deal of ease, playfulness, and wit, and all abound in *felicities* of expression; but, on the whole, in point of *style only* I like them less than Rousseau's, and much less than Lady Mary's in point both of *style* and *matter*. *Mais chacun à son gout.* By the by, the matter of these letters, as it generally turns on petty intrigues at the court of Louis le Grand, is not very interesting to

nous outres; and I sometimes think, that in reading through works where *style* is the *only* recommendation, *le jen nev eut pas la chandelle.*"—*P.* 13, *L.* 3.

These few selections we hope will suffice to give our readers an idea of their amiable and industrious author.

Letters and letter-writing occupy a considerable portion of the existence of many in India: we say *existence;* for, without the means of receiving or writing a letter, life to many would be intolerable. Cruel suspense vanishes at the sight of the welcome letter. The wife rushes forward, with an eagerness resembling that of Lady Macbeth before she reads that Macbeth has been hailed "Thane of Cawdor;" and if she meets with a pleasing commencement similar to "they met me in the day of success," her heart is filled with a delight which can only be exceeded by the presence of her husband. The father, anxious about the safety of his son, tears open the letters, and reads it with a visage similar to that of Northumberland, when Morton brings him the news concerning Harry Percy:—

"Yet, for all this, say not, that Percy's dead."

The lover, all eagerness concerning the answer to a letter which has cost him many an anxious hour to put together, hails with joy the arrival of the "Overland;" and what can equal his pleasure when he reads of his acceptance, or his disappointment when the haughty beauty tells him —"I always liked you as a friend,—but I *never* loved you?"

The brother, rapt in the pursuit of his civil or military duties,—if a soldier, well accustomed to scenes of death—is all anxiety concerning the sick brother who has left India in a dangerous state of health. The dismal letter arrives—the black seal is opened!—"He died without a groan or struggle!" The brother has lost the companion of his childhood for ever. The burst of true sorrow which that letter has produced, is sweeter to him than all the pleasures and follies of life. The remembrance of the dead comes upon him with an impressive force, when he reads with what apparent ease his brother died.

Pope has beautifully given, in his well-known translation of an epistle from Heloise to Abelard, the power of letters with regard to Love:—

"Heaven first taught letters for some wretch's aid,
Some banish'd lover, or some captive maid,
They live, they speak, they breathe what Love inspires,
Warm from the soul, and faithful to its fires,
The virgin's wish without her fears impart,
Excuse the blush, and pour out all the heart,
Speed the soft intercourse from soul to soul,
And waft a sigh from Indus to the Pole."

From the General to the Sepoy, a letter is looked upon with a sort of natural regard. The facilities of postal communication are now so great, that the very Hindu is beginning to breathe something of the spirit of freedom into his correspondence. He notices our anxiety for

the arrival of each "Overland Mail;" and the expression of our countenances on the receipt of good or bad news. What a native cannot bear about letter writing, is the payment of the postage; and certainly if we take into consideration the expense attending the receipt or dispatch of any number of letters, compared with the pay he receives from the master, or otherwise, we cannot wonder at this dislike to pay the postage of a letter. The pay is sufficient for every thing but postage. The former may be increased, but *all* wish the latter to be diminished. This step would be an unquestionable boon to Europeans, as well as natives; and, if we are not very much mistaken, the Post office revenue would greatly find the benefit of it.

"Writing letters!" has become an exclamation of considerable utility among many Europeans in India. "I am sorry you cannot see Mrs. So and So to-day,—she is writing overland letters!" This is all very well, when the lady is actually doing so. But sometimes it turns out that the "letter-writing" is of rather a strange description. We once had the above answer given to us on visiting a rather lazy gentleman: we knew him well enough to resist such a trivial one, especially so for a man; so, entering his room briskly, we were not very much surprised at finding the zealous letter-writer—fast asleep. We advise all ladies to take warning from this fact, and never to allow a visitor to lose the pleasure of seeing them, in case their absence may be attributed to this new mode of "writing letters."

Nothing can be more touching than the simplicity and patriotic and affectionate feelings often displayed in the letters of military men, during the time of war. Our readers have no doubt read the epistles of great officers who shone in the Affghan and Sutlej Campaigns; and been delighted with the sentiments they contained,—that affection, bravery, and resolution, which makes a man "glory in the name of Briton." In these particulars we also greatly admire John Sobaeski, the once eminent king of Poland, of whom Charles the twelfth said when he heard of his decease, "such men should never die." During the celebrated campaign of Vienna (1683) while engaged in saving Christendom from the Turks, he wrote to his wife thus: "I do not expose myself to personal dangers more than is necessary for a king, who has the eyes of all Europe upon his actions. For I hold to life. I hold to it, for the sake of Christianity, and of my country, for you my love, for my children, for my family, and for my friends. But *honour*, which I have always had in view, and laboured for during the whole of my career; honour, also, ought to be dear to me! to conclude, I think I can concilitate all these interests, and I trust to do so with the aid of the Almighty."*

It is strange to observe, how often amid the cares and distinction which we imagine must necessarily annoy the mind of a statesman, when he has acquiesced in any measure which has given general dissatisfaction, with what apparent coolness he can sit down to write a familiar

* Lord Dover's "Lives of the most eminent Sovereigns of Modern Europe."—*P.* 177.

letter. Macaulay has given us a fine instance of this in his admirable Essay on Warren Hastings. How beautifully solemn and impressive is the description of the execution of Nuncomar! How surprised then are we to read that "it is a remarkable circumstance that one of the letters of Hastings to Dr. Johnson bears date a very few hours after the death of Nuncomar. While the whole settlement was in commotion, while a mighty and ancient priesthood were weeping over the remains of their chief, the conqueror in that deadly grapple sat down, with characteristic self-possession, to write, about the Tour to the Hebrides, Jones's Persian Grammar, and the history, traditions, arts, and natural productions of India."*

In some eastern lands, we believe, it is still the custom to "talk in flowers." The lover, instead of sending the ominous "Love Letter," his affection held forth on the most superb note-paper, merely presents his love with a bunch of beautiful flowers, each with a peculiar meaning of its own. We question much whether this pleasing mode of writing an eastern Love Letter, could ever be acceptable to the English in India. The *bouquet* is well enough to adorn the bosom of the fair one; but here familiarity stops. "Thus far shalt thou go, and no further!" The endearing expressions must be written in good black or blue ink, before she can fairly accomplish the "bold stroke for a husband." When time has rolled on a little, the wedded pair often glance at these "billets" of their early acquaintance, and ruminate on the vanities of life, when they think how much happier they then were; and with what pleasure, every morning, reciprocally, they wrote and received *the* letter.

The natives of India, among themselves, cannot be called a letter-writing people. Their best epistles appear to us to savour more of form than sincerity: and when they write to Europeans, their high-sounding titles, their studied humility at the commencement of a letter, are enough to make us vain of our power and position as the aristocracy of India. "They flatter'd me like a dog; and told me I had white hairs in my beard, ere the black ones were there. To say *ay*, and *no*, to every thing I said!—Ay and no too was no good divinity." So said Lear to his flatterers. So should we say to all natives; especially those who seek to gain protection and advancement, from sensible men, by means of flattery.

> "No, let the candied tongue lick absurd pomp;
> And crook the pregnant hinges of the knee,
> Where thrift may follow fawning."

But, on the other hand, perhaps no people in the eastern world possess points of interest so many to write about as the natives of this country. Letters by intelligent Europeans written in India, if full of unaffected description and just comparison, cannot fail to interest the reader. We have a few letters by us, published upwards of fifty years ago, in which we find some admirable instances of this. They are to be found in the appen-

* "Critical and Historical Essays."—*Vol.* 3, *p.* 367.

dix to an English translation of the *Char Durwesh*, published, we believe in Calcutta, about the above period. The letters are illustrative of "Asiatic Manners and Customs;" and are written from Lucknow, in 1794-95, after the author's return from a four month's excursion with *Asuf-ud-Dowlah*, the then Nawab of Oude.

We admire, and are amused by, the following passage:

"Women are in this country considered merely as a piece of necessary furniture to ornament the *Haram*, and the birth of a daughter occasions no joy to the father. Judging from his own conduct, he foresees the treatment his child will experience, when she is consigned to the animal love of another; that they will be merely slaves in purple and fine linen; loaded with jewels to please the eyes of their tyrants, and never allowed to step beyond the precincts of the *Zenana* or *Haram*, except on occasional visits to some female friend; nor ever suffered to behold the face of any man besides their masters, for they cannot be called husbands without outrage to the term, except through the latticed windows of their high walled prisons, called *Zenanas* or *Harams* to mollify the name. How different this, my dear Eliza, from the life and freedom of a British Fair! Bless God that you were not born in the unfeeling land of Hindustan, and cherish more the country which gave you birth; a country which is equally renowned for beauty as for freedom and delicacy of sentiment; where the fair tyrannise over the wounded hearts of their admirers, and where they often wear the breeches, and sometimes comb the heads of their pliant husbands with a slipper."

In a letter containing an historical sketch of the Nawab, we have a splendid specimen of the extravagance of eastern princes, in those days when gold mohurs and rupees were plentiful in the land; and the inclination to imitate the English in every thing—not in the fabrication, but in the possession—was just coming into fashion. Hear how the author writes about the Nawab of Oude, in 1794:

"He is mild in manners, generous to extravagance, affably polite, and engaging in his conduct; but he has no great mental powers, though his heart is good, considering the education he has received, which instilled the most despotic ideas; he is fond of lavishing his treasures on Gardens, Palaces, Horses and Elephants; and above all on fine English Guns, Lustres, Mirrors, and all sorts of European Manufactures, more especially English; from a two-penny deal board painting of ducks and drakes to the elegant paintings of a Lorraine and a Zophani; and from a little dirty paper lantern to Mirrors and Lustres, which cost two or three thousand pounds each. Every year he expends about two hundred thousand pounds in English goods of all sorts. He has above a hundred gardens, twenty palaces, twelve hundred elephants, three thousand fine saddle horses, fifteen hundred elegant double barrel guns, seventeen hundred superb lustres, and thirty thousand shades of various kinds and colours; some hundreds of large Mirrors, Clocks and Gerandoles.

"He lately bought four Mirrors, which were the largest that had ever been made in Europe, of course in the world; they were

'ordered expressly for him, and were made in London, where they 'cost eight thousand pounds; they were twelve feet long and six 'feet broad within the frame, of single sheets of glass, in elegant gilt 'frames; he bought them and sent them to his Repository, where 'they will repose in peace and unnoticed until the time of the Religious 'Fête called the Mohurrum, when they will be displayed with 'the rest of his Mirrors, Lustres and Gerandoles, &c. in the Grand 'Hall of a Grand Religious Edifice called the *Emaumbarra*, which 'cost a million sterling in building, and which is the largest building 'in *Lucknow*. Some of his clocks are curious, and richly set in precious 'stones, which play tunes every hour, and have figures within them in 'continual movement, a pair of these clocks cost him thirty thousand 'pounds. His Museum is curious, rich, and ridiculously displayed. 'You see a wooden cuckoo clock which perhaps cost a crown, along-'side of a rich superb clock which perhaps cost the price of a crown; 'an elegant Landscape of Lorraine, beside a deal board daub of ducks 'and drakes; a superb lustre of forty or fifty lights, which cost 'perhaps four or five thousand pounds hung up near a paper lantern 'of two pence."

Such was the taste of *Asuf-úd-Dowlah* in the fine arts; one of the most capricious and stupid of eastern princes, and as magnificent an eastern baby as ever was

"Pleased with a rattle, tickled with a straw."

Nothing so well as examples of this description, can hold forth to native minds the uselessness of wealth, unaccompanied by a sound education. Extravagance, misgovernment, and oppressions, form the leading features of the administration of *Asuf-úd-Dowlah*. This was the prince who, while his subjects were treated with the greatest cruelty and neglect, sat down to play like a child with his baubles of jewels. Pleased at one time with the sight of British officers marching along with his infantry; tired of them soon after, and tickled with the magnificent idea of having a new clock, a new horse, or a new beauty,—all princely ideas vanish, and nothing is left but an empty treasury and increasing debt,—increasing till "tired he sleeps, and life's poor play is o'er."

At the present time it is curious to observe the desire of wealthy natives to possess English articles in their houses. This desire is as harmless as it is praiseworthy; and we believe the native taste to be considerably improved as regards selection and arrangement. Time will work wonders in this respect, as we hope it may in every other. Soon may the time come when every wealthy native shall have a well furnished house, aad be able to write a good letter. To do the latter, he must first have a well furnished head; or, at any rate, a well furnished heart, on the proper state of which the real value of all head furniture depends. But we must now conclude. We have wandered into a rambling series of remarks on a subject of some little interest, especially in India, where letters and letter-writing pleasantly and profitably beguile a considerable portion of our time.

Annual Report of the Medical College of Bengal. Twelfth year. Session 1846-47.

THERE is no institution, connected with the physical or material welfare of the people of this land, whose success we have viewed with more unfeigned satisfaction, than the Medical College of Bengal. As it is our purpose, in the course of time, to furnish a full and detailed account of its rise and progress, we strictly limit ourselves, for the present, to a mere notice of the last Report.

During the session of 1846-47, the number of pupils in the English class was 75, of whom 11 are Brahmans: in the Military class, 119, of whom 109 are Mussulmans, and 10 Hindus.

The numbers of lectures delivered on the following subjects were:— Anatomy and Physiology, 124; Demonstrations of Anatomy, 67; Practice of Medicine, 80; Surgery, 104; Midwifery, 75; Chemistry, 96; Botany, 70; Materia Medica, 86; Medical Jurisprudence, 39.

The number of bodies dissected from November to March, amounted to 487.

At the commencement of the Report is brought to notice a subject of great practical interest, namely, the fact of a great falling off during the last two years in the number and qualifications of the native pupils who present themselves for admission into the English class of the Medical College. The result of enquiry on this subject is embodied in the following statement:—

"Upon making strict enquiry among those competent to give a correct opinion, the following have been ascertained to be the chief causes which have operated in preventing the entrance of the first class students of Government and other Institutions, into the Medical College.

1st. The great hopes held out by the Governor General's resolution of Octoher 1844, of a higher and more profitable class of appointments in the judicial and other branches of the public service.

2dly. The great demand for young men of education in mercantile and other offices, where salaries can be obtained without the time and labor required in the acquisition of a profession.

3dly. The scale of remuneration fixed for Sub-Assistant Surgeons being lower, than can be at once obtained by our first class students in other positions, not requiring any of the sacrifices so distasteful to natives of Bengal, such as proceeding to distant stations, &c.

4thly. The length of time which generally elapses between obtaining their diplomas, and being employed.

As most of these are causes likely to be in operation for some time to come, the following appear to be the best means of removing the existing objections to the study of the Medical Profession.

1st. Increase to pay to Sub-Assistant Surgeons after specified periods of service: *e. g.* Sub-Assistant Surgeons of 10 years' active service, to receive Company's Rupees 150 per mensem, after examination by special Committees to ascertain their continued fitness and their having made good use of their time in acquiring additional practical information. After 20 years service Co.'s Rs. 200 per mensem, and after 30 years 300 per mensem, in each case to be preceded by a special examination, and the grades to be

denominated 1st, 2d and 3d grade Sub-Assistant Surgeoncies, according to the scale of pay.

In cases of very distinguished merit, from drawing up valuable topographical and statistical reports ; investigating the properties of, and introducing into practice efficient indigenous for European remedies; remarkable success in performing the great operations of Surgery, &c. &c., promotions to be made to the 2d and 1st grades, as the Government may deem deserved, without reference to the period of service of the individual.

Pensions to be granted upon the same terms as to other uncovenanted persons, viz. 3d of the existing salary after 20, and $\frac{1}{2}$ after 30 years of active service.

2dly. Attaching a Sub-Assistant Surgeon to each of the deputy Magistracies of Bengal.

This would bring them into immediate contact with the people, enable them to be employed in every direction where epidemic diseases were existing, and to assist in all judicial enquiries involving medico-legal knowledge, a subject now taught to the pupils, and in which they are examined, before, being presented with diplomas.

3dly. Appropriating one senior scholarship in every Government College, to be held for five years in the Medical College, subject to the reports of progress from that institution being such as to entitle it to be retained."

As this subject appears to be still under consideration, it may not be too late to remark on the exclusiveness of the preference indicated in the concluding paragraph. The Government institutions must even here monopolise every advantage to be derived from state patronage and support ! Is this as it ought to be ? Were Government more truly liberal and catholic in its aims and largesses, it might, by the partial but reasonable aid extended to other institutions, and at a comparatively trifling amount of expense, vastly extend the cause of sound education in this land. Looking at the East Indian population alone—are not these, the subjects of the British Government, as well as Mussulmans and Hindus ? Have these no claim on its consideration and bounty ? Is the education of their children to meet with no attention at the hands of a paternal Government, holding the balance equally between all classes ? This is not the place for a disquisition on the subject. But we cannot help expressing our astonishment and regret that the British Government should hitherto have done so little for the East Indian community—a community so well fitted, if properly cherished and upheld, to exert a mighty influence for good on the future destinies of this land. It is a noble spectacle to see these manfully buffetting with the natural disadvantages of their position, and struggling, amid varied difficulties, to establish educational institutions of their own ; while it is a saddening spectacle to behold a Government, linked with them by peculiar ties and associations, coolly standing by, and, far from helping, scarcely condescending to take notice of their praiseworthy efforts. Why might not Government at least so far approvingly recognize these efforts, as to establish, in the Parental Academy and other East Indian Institutions, a number of Scholarships, which might enable the holders to prosecute their studies, or offer themselves as well qualified recruits for the Medical College ?

And are there not other Institutions besides the Government ones,

that deserve well at the hands of the conductors of the Medical College ; and which, therefore, might be expected to call for a share of their grateful acknowledgements :—Is it not a fact that many of the most distinguished students that ever passed through the College, were not alumni of Government Institutions at all, but the pupils of Missionary Seminaries ? To be more specific still ;—Is it not, for example, a simple fact, that, from the first, the Free Church Institution (as it is now called) did annually send several of the best qualified candidates to the Medical College ?—and that of these, some have pre-eminently distinguished themselves—carrying away, year after year, the highest honours ? This very year, the first insertion in the list of prizes and certificates of honour is the following :—

"Anatomy and Physiology the Government gold medal, and first certificate, Dinnonath Dass."

And who is this Dinnonath Dass, that occupies the foremost place in the prize and honorary list ? He is one who obtained all his general education in the Free Church Institution. And what redounds to his credit is, that, whereas he only entered the Medical College a twelve month ago, he has, in the important department of Anatomy and Physiology, carried away the first prize, in a close competition with many who had been students for two, three, four, or even five years ! Of the four students who accompanied Dr. Goodeve to England, upwards of two years ago, and who have so greatly distinguished themselves in the University College, London, one obtained *the whole*, and other two, the principal part of their education in the Free Church Institution. Other facts of a similar kind might be adduced, but these may suffice to shew how greatly indebted the Medical College is for its success to non-government or even Missionary Institutions. These, therefore, in justice appear to deserve something better at the hands of the conductors of the Medical College, the Council of Education under whose superintendence the College is placed, and the Supreme Government of this land, than has ever yet been awarded to them. The very least return, most assuredly, ought to be a kindly recognition of the existence of the Institutions in question, and a frank and generous acknowledgement of their services to the great cause of a sound and enlightened popular education.

The examinations for the past year, both general and special, have been conducted with unusual fulness, accuracy, and care. Fourteen in the English Department passed the final examination and obtained a diploma. The written answers given by the best of these on some of the more important topics are given at full length in the Appendix ; and more satisfactory answers—answers more clearly indicative of high proficiency and a thorough mastery of the different subjects—we have scarcely ever seen. In the Military class fourteen passed, in the first grade of merit ; and seven, in the second grade.

Respecting the general conduct of the students, the following statements appear in the Report :—

The general conduct of the native pupils of the English Class has been most praiseworthy during the past Session, not a single case of any kind of misconduct having been reported to the college authorities. Their atten-

dance at lecture has been regular, and their demeanour upon all occasions quiet, orderly, and unobjectionable.

The Military Class continues to maintain the good character it has already gained, but one instance of partial insubordination having occurred, which was quelled at once without any difficulty, and which originated in the misconduct of and erroneous notion entertained of his duties by a subordinate officer attached to the institution. A few pupils of irregular habits were dismissed for repeated absence without leave, the conduct of the remainder has been, with the exception above noted, in every way most creditable.

The following communication from Sir J. Emerson Tennant, Secretary to the Government of Ceylon, addressed to the Supreme Government, was submitted to the Council for report:—

"I am directed by the Governor to beg that you will make known to the Right Hon'ble the Governor-General in Council, that His Excellency has learned with much regret, that some of the natives of Ceylon who had been admitted as students at the Medical School in Calcutta, have unfortunately been misled into habits of intemperance and other vicious irregularities, which in many instances have entirely destroyed their usefulness on their return to the Colony. His Excellency is desirous of obtaining the co-operation of the authorities at Calcutta, in endeavouring to apply a remedy to an evil so fatal to the important object in view, by adopting further measures for placing the Ceylon Students under a stricter system of discipline and surveilance on their arrival in Calcutta. His Excellency is not sufficiently informed as to the economy and internal government of the Medical Institution at Calcutta to be able confidently to suggest an expedient in immediate connection with them; but it occurs to him, that were the heads of the College to sanction the appointment of a superintendent responsible to themselves or to the local Government, it would be productive of great moral advantage to the youths who are now resorting to them for instruction.

"His Excellency is disposed to think that a retired Military Officer of the Company's Service, might with good effect be nominated to receive these youths on their arrival, to conduct them to the place assigned for their residence, to superintend their mess, and enforce a system of orderly conduct, abstinence from excesses, and punctual return at suitable hours to their proper house.

"His Excellency will be prepared to pay all reasonable expenses attendant on the enforcement of such a system; and the issue or withholding of some proportion of the students' pay and allowances, would operate as an adequate check in aid of discipline.

"I am likewise instructed by His Excellency to acquaint you for the information of the Right Hon'ble the Governor-General in Council, that an increased demand for Medical Assistants has recently been experienced in this Island to an unprecedented extent, and it is just possible that it may ere long be in excess of the means at the disposal of the Governor to supply qualified persons when called upon. His Excellency is therefore anxious to be informed whether a number of Medical Assistants, say from 10 to 15, might be disposed to volunteer their services for this Colony, if required, and whether the Government of Bengal would sanction their proceeding hither on such an emergency on salaries equal to those to which they are entitled in Bengal. The salaries paid in this colony to such persons are as follow:

"The third class commence with £110 per annum, and are eligible on recommendation of the chief medical officer to the second class, with a salary of £150, and three years' service in the second class, entitles to promotion to the first, with an income of £200 per annum.

To this the Council replied, that the Ceylon pupils at present reside in a separate building within the college compound, and are superintended by the Secretary to the College, who resides near them, and is assisted in this duty by the House Surgeon and Staff Serjeant. The special regulations to which they are subjected, are contained in the Medical College rules.

Although every means are taken to prevent irregularities, to enforce the keeping of proper hours, and to avoid the contamination of bad society, it is impossible amidst the temptations and vices of a large city like Calcutta, entirely to prevent their occurrence.

The Council, therefore, coincide in the view expressed in the letter of the Secretary to the Ceylon Government, that it would be extremely desirable to have an officer resident in the same building with them, whose sole duty should be the control and superintendence of the domestic economy of the Ceylon pupils. It is believed that the services of such a person could be obtained for Company's Rupees 300 per mensem, with quarters and messing allowance; and by his constant presence, advice, example, and authority, that all bad habits would be effectually checked, and the students be improved in a corresponding degree in morality, decorum, and general propriety of conduct.

At the same time, the Council deem it but just towards the present pupils to state that as a body they are much superior to their predecessors in all these respects.

The Council are of opinion, that their residence should be either within the college compound, or as near to it as possible for the benefit of Hospital attendance, and of their attending to their various duties and studies with as little exposure to the sun and weather as possible. For these purposes, the present building is not adapted to furnish accommodation for more than 17 pupils, and has no quarters for a superintendent.

The proposal above-mentioned were not adopted by the Government of Ceylon, as the revenues of that colony did not then warrant so large an expenditure for those purposes.

The conduct and character of the Ceylon students during the past session have, with two or three exceptions been satisfactory. One individual has, however, been removed for repeated misconduct, and another been threatened with a similar fate, should he not amend. The unfortunate and culpable facility with which some of the petty tradesmen in Calcutta allow these pupils a large amount of credit, and supply them with spirits, has been the chief source of the misconduct referred to in the two students before mentioned."

With the view of still farther promoting the efficiency of the College the following suggestions have been thrown out :—

"Another circumstance of importance is, as to how far the Government may be inclined to encourage the Native Students of the English class to live in the College, and to provide suitable accommodation for them. The whole system of Education in India will necessarily be incomplete, until pupils are brought under the internal control and management considered so essential in Europe, to form the habits, improve the morals, and give a tone to the manners of youth at an age when impressions produce a lasting effect, and exert a beneficial or prejudicial influence upon the future career of the individual, in proportion to the good or evil training to which he may have been subjected. This is considered one of the most essential and important features in the normal training of teachers in the schools of Germany, Holland, Switzerland, France, and now, although to a more limited extent, of Great Britain.

Its effects upon the natives of India would be immeasureably greater than

upon the inhabitants of any European country, for reasons which must be obvious to all acquainted with the social habits of the people.

The Native Medical Student in his own home, is exposed to every influence resulting from ignorance, superstition, the prejudices of caste, and similar means of weakening the effects of the intellectual and moral training which he is undergoing in our schools and colleges. His friends and relations are for the most part incapable of aiding or sympathizing with him in his scholastic pursuits, their conversation, manners, and morals are not such as are likely to improve or elevate him in the social scale, his books and studies are therefore laid aside until he can resume them under less unfavorable circumstances, and in the more congenial society of his fellow-students."

These remarks challenge the gravest attention, and will, we trust, recieve the fullest consideration at the hands of Government. From our own experience we can vouch for their essential truthfulness. And their accuracy being once admitted, there ought not to be two opinions as to the nature and importance of the practical conclusion to be deduced from them, and the practical measure to which such conclusion should inevitably lead. Were such a measure resolved upon, it is clear that an immense addition must be made to the present buildings. The desirableness of such addition, from the foregoing and other causes, has been thus forcibly and prominently developed in the Report :—

"In consequence of the increased demand for the services of native doctors, created by the operations of the army in the field, and by the augmentation of the native army, as well as the difficulty constantly experienced of securing the services of suitably qualified persons, the Medical Board recommended an addition of at least fifty pupils to the strength of the Military Class. Upon this the Council of Education was consulted as to the number of additional pupils that could conveniently be accommodated at the Medical College, to which it was replied that there is not only no available space for the location of a single extra student, but no means of adding to the buildings at present in the compound, in which the existing hundred pupils are crowded into a space barely capable of accommodating them; which is damp, ill ventilated, and not well adapted for the permanent residence of any up-country lads. It is only by the most watchful care, superintendence, and occasional thorough cleansing and white-washing that it has been preserved in a healthy state.

The position of the College itself, although centrical and *per se* well situated, is very ineligible for such an Institution, it being closely surrounded by densely peopled, dirty, ill-drained bazars in every direction, and the ground in its immediate vicinity being so expensive, (rupees 500 a cottah) as to render it difficult to extend the premises to the extent required by its increasing growth and importaace.

There are nearly 125 students residing within the compound who have no place of recreation within the walls, or nearer than the maidan at the end of the Chowringhi road. A gymnasium, so essential for their health, and so useful in encouraging a manly and rational spirit of rivalry and enjoyment between all classes of students, was sanctioned by Government some time since, but the Council have been unable to find a local habitation for it. An ample parade ground and gymnasium would not only tend to preserve and improve the health of the students, but render them less liable to fall victims to the vices and temptations of a large city like Calcutta. As this is the only College in India where native students are subjected to the in-door training and discipline considered of so much importance in

Europe, the Council are of opinion that its efficiency would be much increased by the means being afforded to the pupils of acquiring a taste for the moral and manly amusements of Europe instead of the low vices and disreputable habits of the great bulk of the native community.

Under these circumstances, and before the building of the Fever Hospital will render the future removal of the College from its present site impossible, the Council beg to bring the above-mentioned subject to the prominent notice of Government, in the hope that some means may be devised of removing the causes of inefficiency under which the institution at present labors.

In consequence of the foregoing report, the Civil Architect was directed through the Military Board, to draw up a plan for a new Medical College. Major Goodwyn applied to the Council for a specification of the exact nature and extent of the buildings likely to be required, upon which a communication was addressed to Government, of which the following extract contains the nature and purport:

'The Council do not feel authorized to afford such detailed information without the express sanction of Government, as it will involve several important considerations connected with the present state and probable future wants of the Medical College, especially as to whether it is the intention of Government to afford instruction to the European subordinate Medical Establishment to the extent intimated in the despatch of the Hon'ble Court of Directors upon the subject—and also, as to whether there is any probability of increased hospital accommodation, in addition of the Fever Hospital and present Male and Female Hospitals of the College, being afforded, such as attaching an Eye Infirmary or Vaccine Establishment to the institution, in which they would be of the greatest importance in every point of view, the great and almost only radical defect at present existing, being inadequacy of clinical means of instruction to an extent which is productive of much injury to the cause of medical education.' "

As appears from this statement, the erection of the proposed Fever Hospital has been hitherto delayed; and delayed chiefly, as we are given to understand, by the general proposal of removing the College itself. Should this be found impracticable, the Council express their earnest hope and trust, in which we heartily join them, that "the extension of the Institution in its present position and building of the Fever Hospital will be sanctioned by the Government at an early period."

This brief notice of the Report we conclude by commending it to the attention of all who are interested in the success of the College. And what friend of native improvement, we may well ask, is not interested therein? The Report itself is drawn up with all the neatness, distinctness and accuracy which ever characterize the productions of its indefatigable author—Dr. Mouat.

Mrs. Cameron's Leonora—Translated from the German of Burger.

SOME of the present generation may be old enough to remember the time when the public mind had been thoroughly satiated with the unchanging heroics of Pope's school, but had not yet admitted the "fatal facility" of the Octo-syllabic verse; when the Giaour was yet undreamt of and the Lay unwritten. It was then, that is about the

close of the last century, that any change from the uniform regularity of the so-called Augustan age, any ballad however trifling, was eagerly welcomed as a relief. Lays such as Mickle's Cumnor Hall, imitations from the German by M. Lewis, and other fugitive pieces published in the Tales of Wonder, were greedily caught up and devoured, and amongst the rest, but pre-eminent amongst them all, the "Lenore" of Burger first attracted the notice of Mr. Spencer and of William Taylor of Norwich, and was soon after given to the world in the well-known "William and Helen" of Scott.

It is a ballad of such old standing and of almost universal acceptation that we are now called on to notice: one familiar to all readers, if not in the original, yet in some one of its numerous imitations, and one which as a tale of love and terror has perhaps never been surpassed. It is but little to say that the translation before us fulfils the expectations created by the perusal of its unassuming preface, or that it is a spirited and yet accurate transcript of Burger. We have read that by William Taylor, we have read Scott's (Spencer's we were never fortunate enough to obtain a glance at) we have read some dozen of Leonoras by private hands, and circulated "only for private inspection," but it is no flattery to say that *of all* we prefer Mrs. Cameron's. Those whom a translation interests in the same way as any other piece of poetry, and those who take delight in tracing its fidelity to the original—will here find their criticisms disarmed. Those who know German will please themselves in comparing stanza with stanza, and those who are unacquainted with that language which the Emperor Charles the Fifth would have reserved for conversation with his horse, may surrender themselves unreservedly to the guidance of a faithful interpreter.—The artist, too, has been called in to give to the airy creations of Burger a local habitation and a resting place. Under the hand of Maclise, shapes of feminine beauty and winged forms of terror, attend on the reader as he speeds over the same course with the coal-black steed, each illustration increasing in effect until the last.

We would venture to linger a little on this story and point out several minute and well-conceived touches which entirely absolve it from the imputation of being an exaggerated mass of fiction, fit only to be classed with the hobgoblin tales of our nurseries. We say this because the ballad in Scott's hands has become an unearthly and supernatural tale from the beginning to the end, and it is Scott's version by which most readers will call it to mind. Scott could write nothing tame or unspirited. Whatever he handled, became instinct with his own living fire, but (we say it without the slightest disrespect to the mighty minstrel) he erred in the present instance from an ignorance of German, and as his verses professed to be imitations, he mistakes the purport of his author from the first and endeavours to make the reader forget that he is still treading earth, and dealing with realities. The famous verses

> Tramp, tramp, across the land they rode!
> Splash, splash, across the sea!

are not in the original, as Mrs. Cameron truly remarks, and should have no business in Scott's version, unless we may suppose that he drew his

ideas of Geography from Shakespeare and made Bohemia a maritime country. Now the main beauty of Burger's Tale consists in the exquisite mingling of the terrestrial and the unearthy. During all *the ride* the reader seems to be past the limits of the latter, when he is anon reminded that the heroine still belongs to the former. In the whole of the midnight race he yet feels the ties which connect him with this world spite of the dimly seen forms which haunt the riders, and it is only when the "freshening breeze of morn" is distinctly felt, that the catastrophe comes on, with rapid and giant strides, but yet not wholly unexpected, and the Demon Lover stands confessed in all the frightful reality of the grave. But we will now accompany the riders, and it will then be clearly seen that Burger's is no tale of grim and ghastly horrors but a highly wrought and exquisitely blent story, beyond the boundaries of the natural or the possible, but still far removed from the gross and mis-shapen exaggerations, by which fiction is wont to tress-pass on the indulgence of her readers.

There is peace between the emperor and the king of Prussia, Frederic the great, after the battle of Prague, and each returning soldier greets and is greeted by the fond familiar faces he had left behind him at home. Here we may remark that Burger has been severely censured for dating his dark tale of superstition at the then comparatively recent period of the seven years' war, and Scott wishing to avoid the seeming error makes his warriors return from Paynim battles and slaughtered Saracens, thus going back to the period of the Crusades. But without stopping to discuss the validity of the objection raised, we may remark that if we are correct in supposing Burger to aim at uniting the natural and super-natural, the every day life and the horrors of the tomb, he could not have done better than fix his story at a modern epoch. It was surely his object to lead the Reader on by degrees, to lull him into security by the mention of historical events of which living men might have been eye-witnesses, and then by a gradual and not infelicitous transition, unclose to his astonished eyes the portals of the grave. However this may be, Leonora the heroine of the tale gazes in vain on the merry crowd, asks from all to no purpose, and unable to gain any tidings of the death or safety of her lover, sinks on the earth in all the wildness of despair. We then see the struggles of the female heart, which refuses to be comforted even by the affection of a parent, admirably depicted both in the original and in the translation. But when the stars are lit up in the heaven, a noise of horse's hoof is heard at the door, and the deceitful words of the Demon Lover reach the expectant ears of Leonora. We may remark that the visitant seems precluded from announcing himself as her betrothed husband: he merely asks if he will meet with remembrance or forgetfulness. But her all-confiding love will not brook delay or doubt, and in spite of the whistling wind and the prospect of a hundred miles ride, she springs on the raven steed, and impelled by an irresistible influence, they commence the famous moonlight ride. As yet all has been in perfect keeping with a plain tale of earth: the supernatural part now gradually begins. A hearse and bier are seen moving along in slow and solemn progression, while the priest is chanting the requiem for the dead. At a command

from the horseman, the chant is hushed, the corpse vanishes, and the funeral train are heard straining and panting in the rear. But a ghastlier sight now appears. Round a gibbetted felon an "airy crew" of witches are holding their revels and the horseman must compel them also to join in the race. Here we may point out a curious mistake of Scott's. Taking the German word *Gesindel* to mean "a criminal," and not "a rabble," he brings down the felon himself, who was or ought to have been effectually "chained up," and makes him "prance a fetter dance," as they move on to their bridal chamber. We need hardly say that in the present instance this mistake is rectified, and that the ghosts and not the murderer descend like "gust in hazelbush" (a simile quite unapplicable to rattling fetters while

> "The horse
> Snorting pursues his fiery course
> With showers of sparks the shattered flint
> Returns the horse shoe's iron dint."

Faster than steam engine, they fly onwards, and as the plot thickens, the constant mention of the dead awakens Leonora's apprehension, but fails to chill her love, while the spectre prepares to vanish at cock crow, in obedience to the immutable law of all well-conducted apparitions. With slackened rein, the courser charges an iron gate: its bolts and bars are rent with a thunder crash, and the transformation from the knight clothed in armour to the fleshless skeleton, is complete in an instant. His spurs and mail give way to the scythe and hour-glass, his comely appearance is succeeded by the bare skull and eyeless sockets, the horse breathing his charnel fires vanishes in the ground, and Leonora is left hanging "betwixt death and life." The last scene is grand and does not want its nicely concealed moral. Leonora pays the penalty of her deep, confiding, idolatrous love—of that love which separation and neglect had failed to extinguish,—which had framed in its vehemence the fearful wish expressed in Stanza 22. The body and soul are parted, but the ghosts move round her lifeless form in circle, and while in the poetry of Burger and in the pencil of Maclise their appearance adds to the horror of the sentence, they give utterance to the comforting tones of mercy in the last dark passage.

> Endure, endure, though break the heart,
> Yet judge not God's decree,
> *Thy body from thy soul doth part,*
> *O! may God pardon thee!*

The authoress will excuse us for having given our attention more to the tale itself, than to the translation. We have striven to let Burger "tell his own tale" and to speak in his own phrase, and it would perhaps be hard *to select* from a poem where every thing is deserving of praise, or impertinent to point out beauties which all can appreciate for themselves. But it would be unpardonable neglect if we had not noticed a production which has deservedly attracted the favourable criticism of all the English papers, and which we are only too glad to claim as the offspring of the hot and glaring City of Palaces.

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